

NATIONAL WINDSTORM IMPACT REDUCTION ACT REAUTHORIZATION OF 2014

MARCH 13, 2014.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. SMITH of Texas, from the Committee on Science, Space, and
Technology, submitted the following

R E P O R T

[To accompany H.R. 1786]

[Including cost estimate of the Congressional Budget Office]

The Committee on Science, Space, and Technology, to whom was referred the bill (H.R. 1786) to reauthorize the National Windstorm Impact Reduction Program, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

CONTENTS

	Page
I. Amendment	2
II. Purpose and Summary	5
III. Background and Need for the Legislation	5
IV. Hearing Summary	6
V. Committee Consideration	6
VI. Committee Votes	7
VII. Summary of Major Provisions of the Bill	9
VIII. Committee Views	10
IX. Committee Oversight Findings	10
X. Statement on General Performance Goals and Objectives	11
XI. New Budget Authority, Entitlement Authority, and Tax Expenditures	11
XII. Advisory on Earmarks	11
XIII. Committee Cost Estimate	11
XIV. Congressional Budget Office Cost Estimate	11
XV. Federal Mandates Statement	13
XVI. Compliance with House Resolution 5	13
XVII. Federal Advisory Committee Statement	13
XVIII. Applicability to Legislative Branch	13
XIX. Section-by-Section Analysis of the Legislation	13
XX. Changes in Existing Law Made by the Bill, As Reported	15
XXI. Exchange of Committee Correspondence	22

XXII. Proceedings of the Subcommittee Markup	25
XXIII. Proceedings of the Full Committee Markup	55

I. AMENDMENT

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Windstorm Impact Reduction Act Reauthorization of 2014”.

SEC. 2. DEFINITIONS.

(a) **DIRECTOR.**—Section 203(1) of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15702(1)) is amended by striking “Director of the Office of Science and Technology Policy” and inserting “Director of the National Institute of Standards and Technology”.

(b) **LIFELINES.**—Section 203 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15702) is further amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph:

“(2) **LIFELINES.**—The term ‘lifelines’ means public works and utilities, including transportation facilities and infrastructure, oil and gas pipelines, electrical power and communication facilities and infrastructure, and water supply and sewage treatment facilities.”.

SEC. 3. NATIONAL WINDSTORM IMPACT REDUCTION PROGRAM.

Section 204 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15703) is amended—

(1) by striking subsections (a), (b), and (c) and inserting the following:

“(a) **ESTABLISHMENT.**—There is established the National Windstorm Impact Reduction Program, the purpose of which is to achieve major measurable reductions in the losses of life and property from windstorms through a coordinated Federal effort, in cooperation with other levels of government, academia, and the private sector, aimed at improving the understanding of windstorms and their impacts and developing and encouraging the implementation of cost-effective mitigation measures to reduce those impacts.

“(b) **RESPONSIBILITIES OF PROGRAM AGENCIES.**—

“(1) **LEAD AGENCY.**—The National Institute of Standards and Technology shall have the primary responsibility for planning and coordinating the Program. In carrying out this paragraph, the Director shall—

“(A) ensure that the Program includes the necessary components to promote the implementation of windstorm risk reduction measures by Federal, State, and local governments, national standards and model building code organizations, architects and engineers, and others with a role in planning and constructing buildings and lifelines;

“(B) support the development of performance-based engineering tools, and work with appropriate groups to promote the commercial application of such tools, including through wind-related model building codes, voluntary standards, and construction best practices;

“(C) request the assistance of Federal agencies other than the Program agencies, as necessary to assist in carrying out this Act;

“(D) coordinate all Federal post-windstorm investigations; and

“(E) when warranted by research or investigative findings, issue recommendations to assist in informing the development of model codes, and provide information to Congress on the use of such recommendations.

“(2) **NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.**—In addition to the lead agency responsibilities described under paragraph (1), the National Institute of Standards and Technology shall be responsible for carrying out research and development to improve model building codes, voluntary standards, and best practices for the design, construction, and retrofit of buildings, structures, and lifelines.

“(3) **NATIONAL SCIENCE FOUNDATION.**—The National Science Foundation shall support research in—

“(A) engineering and the atmospheric sciences to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines; and

“(B) economic and social factors influencing windstorm risk reduction measures.

“(4) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—The National Oceanic and Atmospheric Administration shall support atmospheric sciences research to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines.

“(5) FEDERAL EMERGENCY MANAGEMENT AGENCY.—The Federal Emergency Management Agency shall—

“(A) support—

“(i) the development of risk assessment tools and effective mitigation techniques;

“(ii) windstorm-related data collection and analysis;

“(iii) public outreach and information dissemination; and

“(iv) promotion of the adoption of windstorm preparedness and mitigation measures, including for households, businesses, and communities, consistent with the Agency’s all-hazards approach; and

“(B) work closely with national standards and model building code organizations, in conjunction with the National Institute of Standards and Technology, to promote the implementation of research results and promote better building practices within the building design and construction industry, including architects, engineers, contractors, builders, and inspectors.”;

(2) by redesignating subsection (d) as subsection (c), and by striking subsections (e) and (f); and

(3) by inserting after subsection (c), as so redesignated, the following new subsections:

“(d) BUDGET ACTIVITIES.—The Director of the National Institute of Standards and Technology, the Director of the National Science Foundation, the Director of the National Oceanic and Atmospheric Administration, and the Director of the Federal Emergency Management Agency shall each include in their agency’s annual budget request to Congress a description of their agency’s projected activities under the Program for the fiscal year covered by the budget request, along with an assessment of what they plan to spend on those activities for that fiscal year.

“(e) INTERAGENCY COORDINATING COMMITTEE ON WINDSTORM IMPACT REDUCTION.—

“(1) ESTABLISHMENT.—There is established an Interagency Coordinating Committee on Windstorm Impact Reduction, chaired by the Director.

“(2) MEMBERSHIP.—In addition to the chair, the Committee shall be composed of—

“(A) the heads of—

“(i) the Federal Emergency Management Agency;

“(ii) the National Oceanic and Atmospheric Administration;

“(iii) the National Science Foundation;

“(iv) the Office of Science and Technology Policy; and

“(v) the Office of Management and Budget; and

“(B) the head of any other Federal agency the chair considers appropriate.

“(3) MEETINGS.—The Committee shall meet not less than 2 times a year at the call of the Director of the National Institute of Standards and Technology.

“(4) GENERAL PURPOSE AND DUTIES.—The Committee shall oversee the planning and coordination of the Program.

“(5) STRATEGIC PLAN.—The Committee shall develop and submit to Congress, not later than one year after the date of enactment of the National Windstorm Impact Reduction Act Reauthorization of 2014, a Strategic Plan for the Program that includes—

“(A) prioritized goals for the Program that will mitigate against the loss of life and property from future windstorms;

“(B) short-term, mid-term, and long-term research objectives to achieve those goals;

“(C) a description of the role of each Program agency in achieving the prioritized goals;

“(D) the methods by which progress towards the goals will be assessed; and

“(E) an explanation of how the Program will foster the transfer of research results into outcomes, such as improved model building codes.

“(6) PROGRESS REPORT.—Not later than 18 months after the date of enactment of the National Windstorm Impact Reduction Act Reauthorization of 2014, the Committee shall submit to the Congress a report on the progress of the Program that includes—

“(A) a description of the activities funded under the Program, a description of how these activities align with the prioritized goals and research objectives established in the Strategic Plan, and the budgets, per agency, for these activities;

“(B) the outcomes achieved by the Program for each of the goals identified in the Strategic Plan;

“(C) a description of any recommendations made to change existing building codes that were the result of Program activities; and

“(D) a description of the extent to which the Program has incorporated recommendations from the Advisory Committee on Windstorm Impact Reduction.

“(7) COORDINATED BUDGET.—The Committee shall develop a coordinated budget for the Program, which shall be submitted to the Congress at the time of the President’s budget submission for each fiscal year.”.

SEC. 4. NATIONAL ADVISORY COMMITTEE ON WINDSTORM IMPACT REDUCTION.

Section 205 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15704) is amended to read as follows:

“SEC. 205. NATIONAL ADVISORY COMMITTEE ON WINDSTORM IMPACT REDUCTION.

“(a) IN GENERAL.—The Director of the National Institute of Standards and Technology shall establish an Advisory Committee on Windstorm Impact Reduction, which shall be composed of at least 7 members, none of whom may be employees of the Federal Government, including representatives of research and academic institutions, industry standards development organizations, emergency management agencies, State and local government, and business communities who are qualified to provide advice on windstorm impact reduction and represent all related scientific, architectural, and engineering disciplines. The recommendations of the Advisory Committee shall be considered by Federal agencies in implementing the Program.

“(b) ASSESSMENTS.—The Advisory Committee on Windstorm Impact Reduction shall offer assessments on—

“(1) trends and developments in the natural, engineering, and social sciences and practices of windstorm impact mitigation;

“(2) the priorities of the Program’s Strategic Plan;

“(3) the coordination of the Program; and

“(4) any revisions to the Program which may be necessary.

“(c) COMPENSATION.—The members of the Advisory Committee established under this section shall serve without compensation.

“(d) REPORTS.—At least every 2 years, the Advisory Committee shall report to the Director on the assessments carried out under subsection (b) and its recommendations for ways to improve the Program.

“(e) CHARTER.—Notwithstanding section 14(b)(2) of the Federal Advisory Committee Act (5 U.S.C. App), the Advisory Committee shall not be required to file a charter subsequent to its initial charter, filed under section 9(c) of such Act, before the termination date specified in subsection (f) of this section.

“(f) TERMINATION.—The Advisory Committee shall terminate on September 30, 2016.

“(g) CONFLICT OF INTEREST.—An Advisory Committee member shall recuse himself from any Advisory Committee activity in which he has an actual pecuniary interest.”.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 207 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15706) is amended to read as follows:

“SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

“(a) FEDERAL EMERGENCY MANAGEMENT AGENCY.—There are authorized to be appropriated to the Federal Emergency Management Agency for carrying out this title—

“(1) \$5,332,000 for fiscal year 2014; and

“(2) \$5,332,000 for fiscal year 2015.

“(b) NATIONAL SCIENCE FOUNDATION.—There are authorized to be appropriated to the National Science Foundation for carrying out this title—

“(1) \$9,682,000 for fiscal year 2014; and

“(2) \$9,682,000 for fiscal year 2015.

“(c) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—There are authorized to be appropriated to the National Institute of Standards and Technology for carrying out this title—

“(1) \$4,120,000 for fiscal year 2014; and

“(2) \$4,120,000 for fiscal year 2015.

“(d) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—There are authorized to be appropriated to the National Oceanic and Atmospheric Administration for carrying out this title—

“(1) \$2,266,000 for fiscal year 2014; and

“(2) \$2,266,000 for fiscal year 2015.”.

II. PURPOSE AND SUMMARY

The purpose of H.R. 1786, the National Windstorm Impact Reduction Act Reauthorization of 2014, sponsored by Representative Neugebauer (R-TX-19), is to reauthorize the National Windstorm Impact Reduction Program (NWIRP) through Fiscal Year 2015. NWIRP is a multi-agency program that supports efforts to mitigate the impacts of wind hazards through targeted research and development to better understand and prepare for windstorms.

III. BACKGROUND AND NEED FOR THE LEGISLATION

Wind hazards—which include tornados, hurricanes, and derechos—are a threat to all fifty states and cause injuries, deaths, economic disruptions, and property damage. Millions of Americans live in areas vulnerable to storms with damaging winds. The tornadic events of 2011 and 2013 show the devastating results of windstorms. In the United States in 2011, windstorms caused nearly \$11 billion in total direct property losses, injured nearly 7000 people and took nearly 700 lives.¹ As populations continue to grow in areas prone to hurricanes, tornadoes, and windstorms, vulnerability to severe weather will only increase. In 2005, the National Science and Technology Council (NSTC) stated that America’s primary focus on disaster response is “an impractical and inefficient strategy for dealing with these ongoing threats. Instead, communities must break the cycle of destruction and recovery by enhancing their disaster resilience.”

NWIRP was established in 2004 through legislation authored by Rep. Neugebauer. Under the program, the National Oceanic and Atmospheric Administration (NOAA), the National Institute of Standards and Technology (NIST), the National Science Foundation (NSF), and the Federal Emergency Management Administration (FEMA) support activities to improve the understanding of windstorms and their impacts, and to develop and encourage the implementation of cost-effective mitigation measures to reduce these impacts. The program was originally authorized for three years through FY 2008 and has continued to be funded despite a lapse in authorization.

OSTP submitted a NWIRP implementation plan in April 2006, which assessed programs relevant to the goals of NWIRP across eight federal agencies and identified important areas of research that were not covered by current activities. Knowledge gaps were identified in the three broad categories of research authorized in the original NWIRP Act: understanding windstorms; assessing the impacts of windstorms; and mitigation against the effects of windstorms. The implementation plan also recommended a continued role for the Interagency Working Group within the National

¹National Science and Technology Council. National Windstorm Impact Reduction Program: Biennial Report to Congress for Fiscal Years 2011 and 2012, p. 6. <http://www.whitehouse.gov/sites/default/files/microsites/ostp/NSTC/nwirp-fy11-12-biennial-report-to-congress.pdf>

Science and Technology Council's (NSTC) Committee on Environment and Natural Resources, Subcommittee on Disaster Reduction.

H.R. 1786 strengthens NWIRP by transferring its leadership from OSTP to NIST. The bill also: assigns responsibilities to the agencies that make up the program; requires the Interagency Coordinating Committee to develop a strategic plan that outlines the prioritized goals of the Program, research objectives to attain those goals, and how research results will be transferred into outcomes; creates a NWIRP advisory committee, which sunsets in 2016; and authorizes funding for the programs for FY2014 and FY2015.

IV. HEARING SUMMARY

In the 113th Congress, the Subcommittees on Research and Technology held a hearing on June 5, 2013, examining the current role of research and development in mitigating the damaging effects of windstorms across the Nation and the methods of transferring the results of research into practice for stakeholders including building code developers, builders, and property owners. The hearing reviewed the activities of the National Windstorm Impact Reduction Program (NWIRP) and H.R. 1786, The National Windstorm Impact Reduction Act Reauthorization of 2013.

The Subcommittees heard testimony from Dr. Ernst Kiesling, Research Faculty, National Wind Institute, Texas Tech University; Ms. Debra Ballen, General Counsel and Senior Vice President, Public Policy, Insurance Institute for Business & Home Safety; and Dr. David Prevatt, Assistant Professor, Department of Civil and Coastal Engineering, University of Florida.

V. COMMITTEE CONSIDERATION

On April 26, 2013, H.R. 1786 was introduced by Rep. Neugebauer and referred to the Committee on Science, Space, and Technology.

On June 28, 2013, the Subcommittee on Research and Technology met in open markup session and adopted H.R. 1786, as amended, by voice vote. The Subcommittee considered three amendments, and approved one.

- An amendment offered by Representative Esty to add the definition of "lifelines" to the bill was agreed to by voice vote.

- An amendment, offered by Representative Wilson, to allow the head of an agency to decline to implement the requirements of the Act if the head of such agency determines that sufficient funds are not available and requires a report to Congress within 30 days of making such a determination, was not agreed to by voice vote.

- An amendment, offered by Representative Peters, to add two additional titles to the bill to reauthorize the National Earthquake Hazards Reduction Program and to amend the fire research program, was withdrawn.

The bill, as amended, was favorably reported to the full Committee by voice vote.

On February 28, 2014 the Committee on Science, Space, and Technology met in open markup session and adopted H.R. 1786, as amended, by voice vote.

- An amendment offered by Representatives Neugebauer and Wilson, which made technical corrections to the existing bill; added

economic and social science research to the type of research that NSF may conduct and the Advisory Committee should assess; added language requiring NIST, NSF, NOAA and FEMA report on planned NWIRP activities in Congressional budget requests; reallocated funding within program but maintains current overall funding level; and authorize the program through 2015, was agreed to by voice vote.

- An amendment offered by Representative Grayson, which requires an Advisory Committee member to recuse themselves from any Advisory Committee activity in which they have an actual pecuniary interest, was agreed to by voice vote.

The bill, as amended, was favorably reported by voice vote.

VI. COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the record votes on the motion to report legislation and amendments thereto. A motion to order H.R. 1786 favorably reported to the House, as amended, was agreed to by voice vote.

During Full Committee consideration of H.R.1786, the following amendments were considered:

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY
Research and Technology Subcommittee Markup
June 28, 2013

AMENDMENT ROSTER

H.R. 1786, the "National Windstorm Impact Reduction Act Reauthorization of 2013"

No.	Amendment	Summary	
1	Amendment offered by Ms. Esty (016)	Adds the definition of "lifelines" to the bill	Agreed to by Voice Vote
2	Amendment offered by Ms. Wilson (001)	Allows the head of an agency to decline to implement the requirements of the Act if the head of such agency determines that sufficient funds are not available; Requires a report to Congress within 30 days of making such a determination.	Failed by Voice Vote
3	Amendment offered by Mr. Peters (002)	Adds two additional titles to the bill to reauthorize the National Earthquake Hazards Program and to amend the fire research program.	Withdrawn

VII. SUMMARY OF MAJOR PROVISIONS OF THE BILL

H.R. 1786 includes the following provisions:

- Four agencies make up the National Windstorm Impact Reduction Program (NWIRP): the National Institute of Standards and Technology (NIST), the National Science Foundation (NSF), the National Oceanic and Atmospheric Administration (NOAA), and the Federal Emergency Management Agency (FEMA); defines NIST as the lead program agency; and assigns responsibilities to the four program agencies.
 - NIST is being tasked as the new lead agency of the Program. In that role, NIST's activities include planning and coordinating the Program; supporting the development of performance-based engineering tools; requesting the assistance of Federal agencies, other than Program agencies, as necessary; coordinating all Federal post-windstorm investigations; and issuing recommendations to assist in informing model codes when warranted by research or investigative findings. In addition to the lead agency responsibilities, NIST shall also conduct research and development to improve model building codes, voluntary standards, and best practices for the design, construction, and retrofit of buildings, structures, and lifelines.
 - NSF activities include research in engineering and the atmospheric sciences to improve the understanding of the behavior of windstorms and the impact on buildings, structures, and lifelines, and research in the economic and social factors influencing windstorm risk reduction measures.
 - NOAA activities include the support of atmospheric science research to improve the understanding of the behavior of windstorms and the impact on buildings, structures, and lifelines.
 - FEMA activities include the development of risk assessment tools and effective mitigation techniques; data collection and analysis; public outreach, information dissemination; and promotion of the adoption of windstorm preparedness and mitigation measures. FEMA is also required to work closely with national standards and building code organizations, in conjunction with NIST, to promote implementation of research results and promote better building practices.
- Creation of an Interagency Coordinating Committee on Windstorm Impact Reduction. The Committee is chaired by the Director of NIST and is made up of the heads of FEMA, NOAA, NSF, OSTP, the Office of Management and the Budget (OMB), and the head of any other Federal agency the Chair considers appropriate. The Committee is to meet not less than two times a year and is tasked with developing and submitting to Congress a strategic plan, progress report, and coordinated budget for the Program.
- The Directors of NIST, NSF, NOAA and FEMA are required to include in their annual budget request to Congress a description of their agency's projected NWIRP activities and an assessment of what they plan to spend on the program for the fiscal year covered in the budget request.
- Updating the National Advisory Committee on Windstorm Impact Reduction made up of at least seven relevant non-Federal employee experts to offer recommendations and assessments on pro-

gram developments, priorities, coordination, and revisions as necessary. This section requires the Advisory Committee to report to the Director of NIST on the assessment and its recommendations at least every two years. The Advisory Committee is terminated on September 30, 2016. Additionally, an Advisory Committee member is required to recuse himself from any Advisory Committee activity in which he has an actual pecuniary interest.

- Funding the program at \$21.4 million annually, broken down as follows:
 - For FEMA: \$5,332,000 for each fiscal year 2014 through 2015.
 - For NSF: \$9,682,000 for each fiscal year 2014 through 2015.
 - For NIST: \$4,120,000 for each fiscal year 2014 through 2015.
 - For NOAA: \$2,266,000 for each fiscal year 2014 through 2015.

VIII. COMMITTEE VIEWS

NATIONAL WINDSTORM IMPACT REDUCTION PROGRAM

Although the program was created in 2004, the NWIRP program implementation and coordination has been insufficient. NIST leadership will ensure agency efforts for wind-hazard mitigation research, development, and technology transfer are coordinated, transparent, and effective. Developing measures to cost-effectively retrofit existing structures is of high importance, as is developing methods to mitigate the impacts of windstorms on infrastructure and lifelines.

INTERAGENCY COORDINATION

The Interagency Coordinating Committee for NWIRP should ensure the agencies' activities are well-coordinated through strategic planning. Federal agencies should take advantage of opportunities for more coordination of R&D across different natural hazards. An important initial step is to identify specific types of R&D efforts where coordination and collaboration across different natural hazards is possible.

BUDGET ACTIVITIES

FEMA, NSF, NIST and NOAA are required to consider NWIRP activities and programs in their annual budget request to Congress. This will provide greater accountability and transparency for the program and its annual activities.

AUTHORIZATIONS

Funding levels were established for each participating agency for FY 2014 and FY 2015. The bill sets overall funding levels below FY 2008 authorization levels.

IX. COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee held an oversight hearing and

made findings that are reflected in the descriptive portions of this report.

X. STATEMENT ON GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goals and objectives of the Committee are reflected in the descriptive portions of this report, including the goal to continue a multi-agency program that supports efforts to mitigate the impacts of wind hazards through targeted research and development.

XI. NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the estimate of new budget authority, entitlement authority, or tax expenditures or revenues contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

XII. ADVISORY ON EARMARKS

In compliance with clause 9(e), 9(f), and 9(g) of rule XXI, the Committee finds that H.R. 1786, the “National Windstorm Impact Reduction Act Reauthorization of 2014”, contains no earmarks.

XIII. COMMITTEE COST ESTIMATE

The Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

XIV. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the following is the cost estimate provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 6, 2014.

Hon. LAMAR SMITH,
*Chairman, Committee on Science, Space, and Technology,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1786, the National Windstorm Impact Reduction Act Reauthorization of 2014.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Susan Willie.

Sincerely,

DOUGLAS W. ELMENDORF, *Director.*

Enclosure.

H.R. 1786—National Windstorm Impact Reduction Act Reauthorization of 2014

Summary: H.R. 1786 would reauthorize the National Windstorm Impact Reduction Program, which was created to improve the understanding of windstorms and their impacts and to develop measures to reduce the damage they cause. The bill also would establish new committees to coordinate the activities of federal agencies participating in the program and to assess developments in efforts to mitigate damage from windstorms.

Assuming appropriation of the authorized amounts, CBO estimates that implementing H.R. 1786 would cost \$21 million over the 2015–2019 period. Pay-as-you-go procedures do not apply to this legislation because it would not affect direct spending or revenues.

H.R. 1786 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

Estimated cost to the Federal government: The estimated budgetary impact of H.R. 1786 is shown in the following table. The costs of this legislation fall within budget functions 250 (general science, space, and technology), 300 (natural resources and environment), 370 (commerce and housing credit), and 450 (community and regional development).

	By fiscal year, in millions of dollars—					
	2015	2016	2017	2018	2019	2015–2019
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Authorization Level	21	0	0	0	0	21
Estimated Outlays	10	8	2	1	0	21

Basis of estimate: For this estimate, CBO assumes that H.R. 1786 will be enacted near the end of fiscal year 2014 and that the authorized amount will be appropriated in 2015. Estimated outlays are based on historical spending patterns for this program.

For fiscal year 2015, H.R. 1786 would authorize appropriations of \$5 million for the Federal Emergency Management Agency, \$10 million for the National Science Foundation, \$4 million for the National Institute of Standards and Technology, and \$2 million for the National Oceanic and Atmospheric Administration to carry out the National Windstorm Impact Reduction Program. Assuming appropriation of those amounts, CBO estimates that implementing the bill would cost \$21 million over the 2015–2019 period.

Pay-As-You-Go considerations: None.

Intergovernmental and private-sector impact: H.R. 1786 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

Estimate prepared by: Federal Costs: Susan Willie; Impact on State, Local, and Tribal Governments: J'nell Blanco; Impact on the Private Sector: Amy Petz.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

XV. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

XVI. COMPLIANCE WITH H. RES. 5

A. Directed Rule Making. The bill does not direct any executive branch official to conduct any specific rule-making proceedings.

B. Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

XVII. FEDERAL ADVISORY COMMITTEE STATEMENT

No new advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by the legislation. H.R. 1786 reauthorized the National Advisory Committee on Windstorm Impact Reduction, which terminates on September 30, 2016.

XVIII. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

XIX. SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This section establishes the short title as the “National Windstorm Impact Reduction Reauthorization Act of 2014.”

Section 2. Definitions

This section amends the National Windstorm Impact Reduction Act of 2004 to define the “Director” of the Program as the Director of the National Institute of Standards and Technology (NIST) rather than the Director of the White House Office of Science and Technology Policy (OSTP). This section also defines “Lifelines” to mean the public works and utilities, oil and gas pipelines, electrical power and communication facilities and infrastructure, and water supply and sewage treatment facilities.

Section 3. National Windstorm Impact Reduction Program

This section identifies the four agencies that make up the National Windstorm Impact Reduction Program (NWIRP): NIST, the National Science Foundation (NSF), the National Oceanic and Atmospheric Administration (NOAA), and the Federal Emergency Management Agency (FEMA); defines NIST as the lead program agency; and assigns responsibilities to the four program agencies.

As the new lead agency, NIST's activities include planning and coordinating the Program; supporting the development of performance-based engineering tools; requesting the assistance of Federal agencies other than Program agencies as necessary; coordinating all Federal post-windstorm investigations; and issuing recommendations to assist in informing model codes when warranted by research or investigative findings. In addition to the lead agency responsibilities, NIST shall also conduct research and development to improve model building codes, voluntary standards, and best practices for the design, construction, and retrofit of buildings, structures, and lifelines.

NSF activities include research in engineering and the atmospheric sciences to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines, and research in the economic and social factors influencing windstorm risk reduction measures.

NOAA activities include the support of atmospheric science research to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines.

FEMA activities include the development of risk assessment tools and effective mitigation techniques; data collection and analysis; public outreach, information dissemination; and promotion of the adoption of windstorm preparedness and mitigation measures. FEMA is also required to work closely with national standards and building code organizations, in conjunction with NIST, to promote implementation of research results and promote better building practices.

The Directors of NIST, NSF, NOAA and FEMA are required to include in their annual budget request to Congress a description of their agency's projected NWIRP activities and an assessment of what they plan to spend on the program for the fiscal year covered in the budget request.

Additionally, this section creates an Interagency Coordinating Committee on Windstorm Impact Reduction. The Committee is chaired by the Director of NIST and is made up of the heads of FEMA, NOAA, NSF, OSTP, the Office of Management and the Budget (OMB), and the head of any other Federal agency the Chair considers appropriate. The Committee is to meet not less than 2 times a year and is tasked with developing and submitting to Congress a strategic plan, progress report, and coordinated budget for the Program.

Section 4. National Advisory Committee on Windstorm Impact Reduction

This section amends the National Windstorm Impact Reduction Act of 2004 to reauthorize and update an existing Advisory Committee for NWIRP of at least 7 relevant non-Federal employee experts to offer recommendations and assessments on program developments, priorities, coordination, and revisions as necessary. This section requires the Advisory Committee to report to the Director of NIST on the assessment and its recommendations at least every two years. The authority for the Advisory Committee terminates on September 30, 2016. An Advisory Committee member is required to recuse himself from any Advisory Committee activity in which he has an actual pecuniary interest.

Section 5. Authorization of appropriations

This section provides authorizations of appropriations as follows:
 For FEMA: \$5,332,000 for each fiscal year 2014 through 2015.
 For NSF: \$9,682,000 for each fiscal year 2014 through 2015.
 For NIST: \$4,120,000 for each fiscal year 2014 through 2015.
 For NOAA: \$2,266,000 for each fiscal year 2014 through 2015.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

**NATIONAL WINDSTORM IMPACT REDUCTION ACT OF
2004**

* * * * *

**TITLE II—WINDSTORM IMPACT
REDUCTION**

* * * * *

SEC. 203. DEFINITIONS.

In this title:

(1) **DIRECTOR.**—The term “Director” means the [Director of the Office of Science and Technology Policy] *Director of the National Institute of Standards and Technology*.

(2) **LIFELINES.**—*The term “lifelines” means public works and utilities, including transportation facilities and infrastructure, oil and gas pipelines, electrical power and communication facilities and infrastructure, and water supply and sewage treatment facilities.*

[(2)] (3) **PROGRAM.**—The term “Program” means the National Windstorm Impact Reduction Program established by section 204(a).

[(3)] (4) **STATE.**—The term “State” means each of the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

[(4)] (5) **WINDSTORM.**—The term “windstorm” means any storm with a damaging or destructive wind component, such as a hurricane, tropical storm, tornado, or thunderstorm.

SEC. 204. NATIONAL WINDSTORM IMPACT REDUCTION PROGRAM.

[(a)] **ESTABLISHMENT.**—There is established the National Windstorm Impact Reduction Program.

[(b)] **OBJECTIVE.**—The objective of the Program is the achievement of major measurable reductions in losses of life and property from windstorms. The objective is to be achieved through a coordinated Federal effort, in cooperation with other levels of government, academia, and the private sector, aimed at improving the un-

derstanding of windstorms and their impacts and developing and encouraging implementation of cost-effective mitigation measures to reduce those impacts.

[(c) INTERAGENCY WORKING GROUP.—Not later than 90 days after the date of enactment of this Act, the Director shall establish an Interagency Working Group consisting of representatives of the National Science Foundation, the National Oceanic and Atmospheric Administration, the National Institute of Standards and Technology, the Federal Emergency Management Agency, and other Federal agencies as appropriate. The Director shall designate an agency to serve as Chair of the Working Group and be responsible for the planning, management, and coordination of the Program, including budget coordination. Specific agency roles and responsibilities under the Program shall be defined in the implementation plan required under subsection (e). General agency responsibilities shall include the following:

[(1) The National Institute of Standards and Technology shall support research and development to improve building codes and standards and practices for design and construction of buildings, structures, and lifelines.

[(2) The National Science Foundation shall support research in engineering and the atmospheric sciences to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines.

[(3) The National Oceanic and Atmospheric Administration shall support atmospheric sciences research to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines.

[(4) The Federal Emergency Management Agency shall support the development of risk assessment tools and effective mitigation techniques, windstorm-related data collection and analysis, public outreach, information dissemination, and implementation of mitigation measures consistent with the Agency's all-hazards approach.]

(a) *ESTABLISHMENT.—There is established the National Windstorm Impact Reduction Program, the purpose of which is to achieve major measurable reductions in the losses of life and property from windstorms through a coordinated Federal effort, in cooperation with other levels of government, academia, and the private sector, aimed at improving the understanding of windstorms and their impacts and developing and encouraging the implementation of cost-effective mitigation measures to reduce those impacts.*

(b) *RESPONSIBILITIES OF PROGRAM AGENCIES.—*

(1) *LEAD AGENCY.—The National Institute of Standards and Technology shall have the primary responsibility for planning and coordinating the Program. In carrying out this paragraph, the Director shall—*

(A) ensure that the Program includes the necessary components to promote the implementation of windstorm risk reduction measures by Federal, State, and local governments, national standards and model building code organizations, architects and engineers, and others with a role in planning and constructing buildings and lifelines;

(B) support the development of performance-based engineering tools, and work with appropriate groups to promote

the commercial application of such tools, including through wind-related model building codes, voluntary standards, and construction best practices;

(C) request the assistance of Federal agencies other than the Program agencies, as necessary to assist in carrying out this Act;

(D) coordinate all Federal post-windstorm investigations; and

(E) when warranted by research or investigative findings, issue recommendations to assist in informing the development of model codes, and provide information to Congress on the use of such recommendations.

(2) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—In addition to the lead agency responsibilities described under paragraph (1), the National Institute of Standards and Technology shall be responsible for carrying out research and development to improve model building codes, voluntary standards, and best practices for the design, construction, and retrofit of buildings, structures, and lifelines.

(3) NATIONAL SCIENCE FOUNDATION.—The National Science Foundation shall support research in—

(A) engineering and the atmospheric sciences to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines; and

(B) economic and social factors influencing windstorm risk reduction measures.

(4) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—The National Oceanic and Atmospheric Administration shall support atmospheric sciences research to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines.

(5) FEDERAL EMERGENCY MANAGEMENT AGENCY.—The Federal Emergency Management Agency shall—

(A) support—

(i) the development of risk assessment tools and effective mitigation techniques;

(ii) windstorm-related data collection and analysis;

(iii) public outreach and information dissemination; and

(iv) promotion of the adoption of windstorm preparedness and mitigation measures, including for households, businesses, and communities, consistent with the Agency's all-hazards approach; and

(B) work closely with national standards and model building code organizations, in conjunction with the National Institute of Standards and Technology, to promote the implementation of research results and promote better building practices within the building design and construction industry, including architects, engineers, contractors, builders, and inspectors.

[(d)] (c) PROGRAM COMPONENTS.—

(1) * * *

* * * * *

[(e) IMPLEMENTATION PLAN.—Not later than 1 year after date of enactment of this title, the Interagency Working Group shall de-

velop and transmit to the Congress an implementation plan for achieving the objectives of the Program. The plan shall include—

【(1) an assessment of past and current public and private efforts to reduce windstorm impacts, including a comprehensive review and analysis of windstorm mitigation activities supported by the Federal Government;

【(2) a description of plans for technology transfer and coordination with natural hazard mitigation activities supported by the Federal Government;

【(3) a statement of strategic goals and priorities for each Program component area;

【(4) a description of how the Program will achieve such goals, including detailed responsibilities for each agency; and

【(5) a description of plans for cooperation and coordination with interested public and private sector entities in each program component area.

【(f) BIENNIAL REPORT.—The Interagency Working Group shall, on a biennial basis, and not later than 180 days after the end of the preceding 2 fiscal years, transmit a report to the Congress describing the status of the windstorm impact reduction program, including progress achieved during the preceding two fiscal years. Each such report shall include any recommendations for legislative and other action the Interagency Working Group considers necessary and appropriate. In developing the biennial report, the Interagency Working Group shall consider the recommendations of the Advisory Committee established under section 205.】

(d) *BUDGET ACTIVITIES.*—*The Director of the National Institute of Standards and Technology, the Director of the National Science Foundation, the Director of the National Oceanic and Atmospheric Administration, and the Director of the Federal Emergency Management Agency shall each include in their agency's annual budget request to Congress a description of their agency's projected activities under the Program for the fiscal year covered by the budget request, along with an assessment of what they plan to spend on those activities for that fiscal year.*

(e) *INTERAGENCY COORDINATING COMMITTEE ON WINDSTORM IMPACT REDUCTION.*—

(1) *ESTABLISHMENT.*—*There is established an Interagency Coordinating Committee on Windstorm Impact Reduction, chaired by the Director.*

(2) *MEMBERSHIP.*—*In addition to the chair, the Committee shall be composed of—*

(A) *the heads of—*

(i) *the Federal Emergency Management Agency;*

(ii) *the National Oceanic and Atmospheric Administration;*

(iii) *the National Science Foundation;*

(iv) *the Office of Science and Technology Policy; and*

(v) *the Office of Management and Budget; and*

(B) *the head of any other Federal agency the chair considers appropriate.*

(3) *MEETINGS.*—*The Committee shall meet not less than 2 times a year at the call of the Director of the National Institute of Standards and Technology.*

(4) *GENERAL PURPOSE AND DUTIES.*—*The Committee shall oversee the planning and coordination of the Program.*

(5) *STRATEGIC PLAN.*—*The Committee shall develop and submit to Congress, not later than one year after the date of enactment of the National Windstorm Impact Reduction Act Reauthorization of 2014, a Strategic Plan for the Program that includes—*

(A) prioritized goals for the Program that will mitigate against the loss of life and property from future windstorms;

(B) short-term, mid-term, and long-term research objectives to achieve those goals;

(C) a description of the role of each Program agency in achieving the prioritized goals;

(D) the methods by which progress towards the goals will be assessed; and

(E) an explanation of how the Program will foster the transfer of research results into outcomes, such as improved model building codes.

(6) *PROGRESS REPORT.*—*Not later than 18 months after the date of enactment of the National Windstorm Impact Reduction Act Reauthorization of 2014, the Committee shall submit to the Congress a report on the progress of the Program that includes—*

(A) a description of the activities funded under the Program, a description of how these activities align with the prioritized goals and research objectives established in the Strategic Plan, and the budgets, per agency, for these activities;

(B) the outcomes achieved by the Program for each of the goals identified in the Strategic Plan;

(C) a description of any recommendations made to change existing building codes that were the result of Program activities; and

(D) a description of the extent to which the Program has incorporated recommendations from the Advisory Committee on Windstorm Impact Reduction.

(7) *COORDINATED BUDGET.*—*The Committee shall develop a coordinated budget for the Program, which shall be submitted to the Congress at the time of the President's budget submission for each fiscal year.*

[SEC. 205. NATIONAL ADVISORY COMMITTEE ON WINDSTORM IMPACT REDUCTION.

[(a) **ESTABLISHMENT.**—The Director shall establish a National Advisory Committee on Windstorm Impact Reduction, consisting of not less than 11 and not more than 15 non-Federal members representing a broad cross section of interests such as the research, technology transfer, design and construction, and financial communities; materials and systems suppliers; State, county, and local governments; the insurance industry; and other representatives as designated by the Director.

[(b) **ASSESSMENT.**—The Advisory Committee shall assess—

[(1) trends and developments in the science and engineering of windstorm impact reduction;

[(2) the effectiveness of the Program in carrying out the activities under section 204(d);

[(3) the need to revise the Program; and

[(4) the management, coordination, implementation, and activities of the Program.

[(c) BIENNIAL REPORT.—At least once every two years, the Advisory Committee shall report to Congress and the Interagency Working Group on the assessment carried out under subsection (b).

[(d) SUNSET EXEMPTION.—Section 14 of the Federal Advisory Committee Act shall not apply to the Advisory Committee established under this section.]

SEC. 205. NATIONAL ADVISORY COMMITTEE ON WINDSTORM IMPACT REDUCTION.

(a) *IN GENERAL.*—The Director of the National Institute of Standards and Technology shall establish an Advisory Committee on Windstorm Impact Reduction, which shall be composed of at least 7 members, none of whom may be employees of the Federal Government, including representatives of research and academic institutions, industry standards development organizations, emergency management agencies, State and local government, and business communities who are qualified to provide advice on windstorm impact reduction and represent all related scientific, architectural, and engineering disciplines. The recommendations of the Advisory Committee shall be considered by Federal agencies in implementing the Program.

(b) *ASSESSMENTS.*—The Advisory Committee on Windstorm Impact Reduction shall offer assessments on—

(1) trends and developments in the natural, engineering, and social sciences and practices of windstorm impact mitigation;

(2) the priorities of the Program's Strategic Plan;

(3) the coordination of the Program; and

(4) any revisions to the Program which may be necessary.

(c) *COMPENSATION.*—The members of the Advisory Committee established under this section shall serve without compensation.

(d) *REPORTS.*—At least every 2 years, the Advisory Committee shall report to the Director on the assessments carried out under subsection (b) and its recommendations for ways to improve the Program.

(e) *CHARTER.*—Notwithstanding section 14(b)(2) of the Federal Advisory Committee Act (5 U.S.C. App), the Advisory Committee shall not be required to file a charter subsequent to its initial charter, filed under section 9(c) of such Act, before the termination date specified in subsection (f) of this section.

(f) *TERMINATION.*—The Advisory Committee shall terminate on September 30, 2016.

(g) *CONFLICT OF INTEREST.*—An Advisory Committee member shall recuse himself from any Advisory Committee activity in which he has an actual pecuniary interest.

* * * * *

[SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

[(a) *FEDERAL EMERGENCY MANAGEMENT AGENCY.*—There are authorized to be appropriated to the Federal Emergency Management Agency for carrying out this title—

[(1) \$8,700,000 for fiscal year 2006;

[(2) \$9,400,000 for fiscal year 2007; and

[(3) \$9,400,000 for fiscal year 2008.

[(b) NATIONAL SCIENCE FOUNDATION.—There are authorized to be appropriated to the National Science Foundation for carrying out this title—

[(1) \$8,700,000 for fiscal year 2006;

[(2) \$9,400,000 for fiscal year 2007; and

[(3) \$9,400,000 for fiscal year 2008.

[(c) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—There are authorized to be appropriated to the National Institute of Standards and Technology for carrying out this title—

[(1) \$3,000,000 for fiscal year 2006;

[(2) \$4,000,000 for fiscal year 2007; and

[(3) \$4,000,000 for fiscal year 2008.

[(d) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—There are authorized to be appropriated to the National Oceanic and Atmospheric Administration for carrying out this title—

[(1) \$2,100,000 for fiscal year 2006;

[(2) \$2,200,000 for fiscal year 2007; and

[(3) \$2,200,000 for fiscal year 2008.]

SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

(a) *FEDERAL EMERGENCY MANAGEMENT AGENCY.—There are authorized to be appropriated to the Federal Emergency Management Agency for carrying out this title—*

(1) \$5,332,000 for fiscal year 2014; and

(2) \$5,332,000 for fiscal year 2015.

(b) *NATIONAL SCIENCE FOUNDATION.—There are authorized to be appropriated to the National Science Foundation for carrying out this title—*

(1) \$9,682,000 for fiscal year 2014; and

(2) \$9,682,000 for fiscal year 2015.

(c) *NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—There are authorized to be appropriated to the National Institute of Standards and Technology for carrying out this title—*

(1) \$4,120,000 for fiscal year 2014; and

(2) \$4,120,000 for fiscal year 2015.

(d) *NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—There are authorized to be appropriated to the National Oceanic and Atmospheric Administration for carrying out this title—*

(1) \$2,266,000 for fiscal year 2014; and

(2) \$2,266,000 for fiscal year 2015.

* * * * *

XXI. EXCHANGE OF COMMITTEE CORRESPONDENCE



**Committee on Transportation and Infrastructure
U.S. House of Representatives**

Bill Shuster
Chairman

Washington, DC 20515

Nick J. Rahall, II
Ranking Member

March 11, 2014

Christopher P. Bertone, Staff Director

James H. Zeig, Deputy Staff Director

The Honorable Lamar Smith
Chairman
Committee on Science, Space, and Technology
2321 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Chairman:

I write concerning H.R. 1786, the *National Windstorm Impact Reduction Act Reauthorization of 2013*, as ordered reported by the Committee on Science, Space, and Technology on February 28, 2014. Thank you for working with us to incorporate mutually agreeable changes to provisions within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite the House's consideration of H.R. 1786, the Committee on Transportation and Infrastructure will forgo further action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

I would appreciate your response to this letter, confirming this understanding, and would request that you insert our exchange of letters on this matter into the committee report on H.R. 1786 and the *Congressional Record* during consideration of this bill on the House floor.

Sincerely,

Bill Shuster
Chairman

cc The Honorable John Boehner, Speaker
The Honorable Nick J. Rahall, II
The Honorable Eddie Bernice Johnson
Mr. Thomas J. Wickham, Jr., Parliamentarian

LAMAR S. SMITH, Texas
CHAIRMAN

EDDIE BERNICE JOHNSON, Texas
 RANKING MEMBER

Congress of the United States
House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

2321 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6301

(202) 225-6371

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March 11, 2014

The Honorable Bill Shuster
 Chairman, Committee on Transportation and Infrastructure
 2165 Rayburn House Office Building
 Washington, D.C. 20515

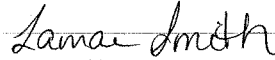
Dear Chairman Shuster,

Thank you for agreeing to be discharged from further consideration of H.R. 1786, the National Windstorm Impact Reduction Act Reauthorization of 2013, and for working with us to incorporate mutually agreeable changes to provisions within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

I agree that forgoing further action on this bill does not in any way diminish or alter the jurisdiction of your Committee, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will insert copies of this exchange in the report filed on H.R. 1786 as well as in the *Congressional Record* during consideration of this bill on the House floor. I appreciate your cooperation regarding this legislation and look forward to continuing to work with the Transportation Committee as the bill moves through the legislative process.

Sincerely,



Lamar Smith
 Chairman

cc: The Honorable John Boehner, Speaker
 The Honorable Eddie Bernice Johnson, Ranking Member, Committee on Science, Space, and Technology
 The Honorable Nick J. Rahall II, Ranking Member, Committee on Transportation and Infrastructure
 Mr. Thomas J. Wickham, Parliamentarian

**XXII. PROCEEDINGS OF THE SUBCOMMITTEE
ON
RESEARCH AND TECHNOLOGY
MARKUP ON H.R.1786,
THE NATIONAL WINDSTORM IMPACT
REDUCTION ACT REAUTHORIZATION OF 2013**

FRIDAY, JUNE 28, 2013

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON RESEARCH AND TECHNOLOGY
COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY
Washington, D.C.

The Subcommittee met, pursuant to call, at 9:05 a.m., in Room 2318 of the Rayburn House Office Building, Hon. Larry Bucshon [Chairman of the Subcommittee] presiding.

Chairman BUCSHON. The Research and Technology Subcommittee of the Committee on Science, Space, and Technology will come to order. Without objection, the Chair is authorized to declare recesses of the Subcommittee at any time. We have votes around 10 o'clock, so we are hopeful to get through this markup before then. If we don't, we will have to recess for a period of time and then come back and finish.

I now recognize myself for an opening statement.

I am pleased to call the markup this morning for consideration of H.R. 1786, the National Windstorm Impact Reduction Act Reauthorization of 2013, introduced by our colleague, Congressman Randy Neugebauer.

As we have tragically witnessed this year, windstorms take American lives, destroy homes and businesses, and cause billions of dollars of damage around the United States. The effects of these disasters can reverberate for years.

Millions of Americans live in areas vulnerable to damaging hurricanes, tornadoes, and other windstorms. As populations continue to grow in these areas, our vulnerability will only increase.

The legislation we are marking up today will reauthorize the activities of the National Windstorm Impact Reduction Program—I don't know how to say that—NWIRP. NWIRP focuses on mitigating damage from wind-related hazards through research designed to help us better understand their behavior and impacts.

Earlier this month, our Subcommittee held a hearing examining how the National Science Foundation, the National Institute of Standards and Technology, the Federal Emergency Management Administration, and the National Oceanic and Atmospheric Admin-

istration conduct important research and development activities aimed to reduce the risk and impact of severe windstorms under the auspices of NWIRP.

This R&D improves model building codes, voluntary standards, and construction practices for buildings and lifelines; fundamental research on the impact of severe windstorms on buildings and infrastructure; atmospheric science research and data collection; and risk assessment tools and mitigation techniques.

The original authorization of NWIRP expired in 2008. Although some work in these agencies has continued, it is difficult to determine the total spending on current wind-hazard reduction measures across these agencies. H.R. 1786 improves public transparency for how much money is being spent on windstorm research, establishes NIST as the lead agency for the program, and improves coordination and planning of agency activities in a fiscally responsible manner.

I want to thank Randy Neugebauer for his focus on this valuable research area, and I look forward to moving forward on this legislation.

I now yield to the Ranking Member of the Subcommittee, Ms. Wilson, for her comments.

[The prepared statement of Mr. Bucshon follows:]

PREPARED STATEMENT OF SUBCOMMITTEE CHAIRMAN LARRY BUCSHON

Chairman BUCSHON. I am pleased to call the markup this morning for consideration of H.R. 1786, the National Windstorm Impact Reduction Act Reauthorization of 2013, introduced by our colleague, Congressman Randy Neugebauer.

As we have tragically witnessed this year, windstorms take American lives, destroy homes and businesses, and cause billions of dollars of damage around the United States. The effects of these disasters can reverberate for years.

Millions of Americans live in areas vulnerable to damaging hurricanes, tornadoes, and other windstorms. As populations continue to grow in these areas, our vulnerability will only increase.

The legislation we are marking up today will reauthorize the activities of the National Windstorm Impact Reduction Program (or NWIRP, “N-whirp”). NWIRP focuses on mitigating damage from wind-related hazards through research designed to help us better understand their behavior and impacts.

Earlier this month, our Subcommittee held a hearing examining how the National Science Foundation, the National Institute of Standards and Technology, the Federal Emergency Management Administration, and the National Oceanic and Atmospheric Administration conduct important research and development activities aimed to reduce the risk and impact of severe windstorms under the auspices of the NWIRP program.

This R&D improves model building codes, voluntary standards, and construction practices for buildings and lifelines; fundamental research on the impact of severe windstorms on buildings and infrastructure; atmospheric science research and data collection; and risk assessment tools and mitigation techniques.

The original authorization for NWIRP expired in 2008. Although some work in these agencies has continued, it is difficult to determine the total spending on current wind-hazard reduction measures across these agencies. H.R. 1786 improves public transparency for how much money is being spent on windstorm research, establishes NIST as the lead agency for the program, and improves coordination and planning of agency activities in a fiscally responsible manner. I want to thank Randy Neugebauer for his focus on this valuable research area, and I look forward to moving forward on this legislation.

Ms. WILSON. Thank you, Mr. Chairman—

Chairman BUCSHON. You are welcome.

Ms. WILSON [continuing]. For holding this markup to reauthorize the National Windstorm Impact Reduction Program, known as

NWIRP. The reauthorization of this program is timely after the deadly destruction we have seen in places like Texas and Oklahoma. Every year, severe winds from hurricanes, tornadoes, and thunderstorms damage or destroy thousands of homes and businesses, harm vital infrastructure, and most importantly, threaten human life. NWIRP has the potential to lessen the loss of life and economic damage by translating research and development on the understanding of windstorms and their impacts and to improve building codes and emergency planning.

While it is apparent that the need for this program is great, it is regrettable that the Majority has decided to mark up this legislation without a detailed examination of the program.

The Subcommittee held one hearing on this program. During that hearing, which included only outside stakeholders, all the witnesses expressed their concern that the NWIRP program was significantly underfunded. After hearing the concern that the program is underfunded, the Subcommittee should have held a hearing with witnesses from NWIRP Federal agencies. That hearing would have given Subcommittee Members the opportunity to ask NWIRP agencies about how they are implementing the program, what activities are being prioritized, and what activities are not being addressed, and what level of resource that the agencies need to fully implement the program. Without that hearing, we do not have the information we need to reauthorize this program.

A single NWIRP agency has informally told us that in 2012, they spent more money than this bill authorizes for all four NWIRP agencies combined. It is regrettable that my colleagues up on the other side of the aisle would make significant cuts to the program without hearing from the federal agencies. In fact, the Committee has not heard from a federal witness about NWIRP program for five years. I would like to point out that during these five years, over 1,000 Americans have lost lives due to windstorms, and the Federal Government has spent over \$136 billion on disaster relief and recovery. If this Subcommittee had held additional hearings with federal witnesses, it might have been possible for the Subcommittees to work on a bipartisan bill to reauthorize the program with any necessary programmatic changes needed, and with proper authorization levels.

Further, it is not clear to me that the Majority has worked with other House Committees that share jurisdiction over the agencies in this bill. This is especially troubling for FEMA. In Mr. Neugebauer's bill—2004 bill, FEMA was authorized at \$8.7 million. In the bill we are marking up today, FEMA is authorized at just \$2 million.

In a time when destruction and windstorms are becoming more frequent, I would think FEMA, the NWIRP agency tasked with taking the research conducted at the other agencies and developing mitigation techniques and public outreach, would need additional, rather than reduced, authorization levels.

Finally, I am not sure if the Majority has talked or worked with their Senate counterparts on this bill. If the goal is to enact this legislation so that the program can be reauthorized, it would be helpful to work with the other body of Congress.

I would like to end by saying that in the past, this Committee has taken a more comprehensive approach to hazards by marking up NWIRP, along with the National Earthquake Hazards Reduction Program. It makes sense to move these interagency programs together, which is why I introduced the National Hazards Risk Reduction Act of 2013 that would reauthorize both the NWIRP and the National Earthquake Hazards Reduction Programs.

While severe weather has dominated the headlines recently, we should not overlook the significant risks associated with earthquakes. I will be supporting my colleague's amendment that addresses this issue.

Thank you, Mr. Chairman, and I yield back that balance of my time.

[The prepared statement of Ms. Wilson follows:]

PREPARED STATEMENT OF SUBCOMMITTEE RANKING MEMBER FREDERICA S. WILSON

Thank you, Mr. Chairman for holding today's markup to reauthorize the National Windstorm Impact Reduction Program, or NWIRP.

The reauthorization of this program is timely after the deadly destruction we have seen in places like Texas and Oklahoma. Every year, severe winds from hurricanes, tornadoes, and thunderstorms damage or destroy thousands of homes and businesses, harm vital infrastructure, and, most importantly, threaten human life.

NWIRP has the potential to lessen the loss of life and economic damage by translating research and development on the understanding of windstorms and their impacts into improved building codes and emergency planning.

While it is apparent that the need for this program is great, it is regrettable that the Majority has decided to mark up this legislation without a detailed examination of the program.

The Subcommittee held one hearing on this program. During that hearing—which included only outside stakeholders—all the witnesses expressed their concern that the NWIRP program was significantly underfunded.

After hearing the concerns that the program is underfunded, the Subcommittee should have held a hearing with witnesses from the NWIRP federal agencies. That hearing would have given Subcommittee Members the opportunity to ask NWIRP agencies about how they are implementing the program, what activities are being prioritized, what activities are not being addressed, and what level of resources the agencies need to fully implement the program.

Without that hearing, we do not have the information we need to reauthorize this program. A single NWIRP agency has informally told us that in 2012 they spent more money than this bill authorizes for all four NWIRP agencies combined. It is regrettable that my colleagues on the other side of the aisle would make significant cuts to the program without hearing from the federal agencies first.

In fact, the Committee has not heard from a federal witness about the NWIRP program for five years. I would like to point out that during those five years, over a thousand Americans have lost their lives due to windstorms and the Federal Government has spent over \$136 billion in disaster relief and recovery.

If the Subcommittee had held additional hearings with federal witnesses, it might have been possible for the Subcommittee to work on a bipartisan bill to reauthorize the NWIRP program with any necessary programmatic changes needed and with proper authorization levels.

But that is not what the Majority decided to do. Instead, we are holding a markup this morning without hearing from the federal agencies involved in the program. That means that we are marking up this bill without a clear understanding of how the NWIRP program is working and what the appropriate authorization levels are for the federal agencies involved.

Further, it is not clear to me that the Majority has worked with the other House Committees that share jurisdiction over the agencies in this bill. This is especially troubling for FEMA. In Mr. Neugebauer's 2004 bill, FEMA was authorized at \$8.7 million for their NWIRP activities. In the bill we are marking up today, FEMA is authorized at just \$2 million.

In a time where destructive windstorms are becoming more frequent, I would think FEMA—the NWIRP agency tasked with taking the research conducted at the

other agencies and developing mitigation techniques and public outreach—would need additional, rather than reduced, authorization levels.

Finally, I am not sure if the Majority has talked or worked with their Senate counterparts on this bill. If the goal is to enact this legislation so the NWIRP program can be reauthorized, it would be helpful to work with the other body of Congress.

It is unfortunate that the Majority decided to move this bill to a markup before holding the hearings that would have provided the Committee Members with the information needed to properly mark up this legislation.

I would like to end by saying that in the past this Committee has taken a more comprehensive approach to hazards by marking up NWIRP along with the National Earthquake Hazards Reduction Program or NEHRP program. It makes sense to move these interagency programs together, which is why I introduced the Natural Hazards Risk Reduction Act of 2013 that would reauthorize both the NWIRP and NEHRP programs. While severe weather has dominated the headlines recently, we should not overlook the significant risk associated with earthquakes. I will be supporting my colleague's amendment that addresses this issue.

Chairman BUCSHON. Thank you, Ms. Wilson.

Pursuant to Committee Rule 2(f) and House Rule XI 2(h)(4), the Chair announces that he may postpone role call votes on matters in which the yeas and nays were ordered.

Pursuant to notice, I now call up H.R. 1786 for markup. The clerk will report the bill.

The CLERK. H.R. 1786, to authorize the National Windstorm Impact Reduction Program, and for other purposes. Be it enacted by the Senate and House of Representatives of the United States of America and Congress assembled—

[H.R. 1786 appears in Appendix I]

Chairman BUCSHON. Without objection, the bill is considered as read.

I recognize myself for a short period.

As I said in my opening statement, I think this is important to reauthorize this piece of legislation as it relates to wind damage across the country.

Is there any further discussion of the bill? Seeing none, without objection I ask unanimous consent that the bill is considered as read and open to amendment at any point, and that Members proceed with amendments in the order listed on the roster. So ordered.

The first amendment on the roster is an amendment offered by the gentlelady from Connecticut, Ms. Esty. The clerk shall report the amendment.

The CLERK. Amendment to H.R. 1786 offered by Ms. Esty of Connecticut. Page 1, line—

[The amendment of Ms. Esty appears in Appendix I]

Chairman BUCSHON. I ask unanimous consent to dispense with the reading. Without objection, so ordered.

I now recognize Ms. Esty for five minutes to explain the amendment.

Ms. ESTY. Thank you very much, Mr. Chairman, and I would like to thank the Ranking Member as well for their holding of the Subcommittee markup.

My amendment is very simple. It would define lifelines, which is a term that is used four times in this bill. The definition I am offering is not controversial. It is focused on infrastructure and has even passed previously in Earthquakes Hazards Reduction Program.

During the hearing on this bill at the beginning of June, I asked the witnesses to explain the importance of infrastructure resiliency in mitigating the effects of storms. Dr. David Prevatt highlighted the importance of lifelines and told this Subcommittee that resilience and sustainability are hallmarks of what is being done in civil engineering. He explained that we need to understand the structural properties of the buildings, the infrastructure, and the utilities in order to mitigate the damage of these storms.

Adding this definition will improve the bill and provide the inter-agency Coordinating Committee on Windstorm Impact Reduction specific directions on the most important research topics. This amendment will help that Committee and the involved agencies work effectively and efficiently toward the goal of reducing the impact of storms on our infrastructure.

In particular, I can speak about the damage that we sustained in Connecticut, not from tornadoes, but from Hurricane Irene and Super Storm Sandy. In our case, the extensive damage really was to utilities and that severely impacted the resiliency of our communities, including at one point we have had lines down for 10 days or two weeks. This is dangerous for our citizens and extremely important that we pursue this important research.

I urge you to support my amendment, and I reserve the balance of my time.

Chairman BUCSHON. I thank the gentlelady for her amendment. I agree that it is appropriate to add the definition of lifelines to the bill, and I believe this amendment strengthens the bill. I urge my colleagues to support the amendment.

Is there any further discussion on the amendment?

Ms. WILSON. Mr. Chair.

Chairman BUCSHON. Recognize Ms. Wilson.

Ms. WILSON. I would just like to thank the gentlewoman from Connecticut for her clarifying amendment, and urge my colleagues to support this bill.

My colleague's amendment would assure that this bill includes a comprehensive definition of lifelines. This is a common-sense amendment, and we should all support its adoption.

Thank you, Mr. Chair.

Chairman BUCSHON. Is there any further discussion on the amendment? Hearing none, the vote occurs on the Esty amendment. All those in favor, say aye. Those opposed, say no. The ayes have it and the amendment is agreed to.

The next amendment on the roster is an amendment offered by the gentlelady from Florida, Ms. Wilson. The clerk shall report the amendment.

The CLERK. Amendment to H.R. 1786 offered by Ms. Wilson of Florida.

Chairman BUCSHON. I ask the unanimous consent to dispense with the reading. Without objection, so ordered.

Chair recognizes Ms. Wilson for five minutes to explain her amendment.

Ms. WILSON. Thank you, Mr. Chairman.

This amendment I am offering today simply states that if sufficient funds are not given to NWIRP agencies to implement the pro-

gram, then the NWIRP agencies won't be forced to fulfill all the requirements of the Act.

At the only hearing the Subcommittee held on NWIRP, all the outside experts expressed concern that the program was significantly underfunded. Instead of marking up a bill today that would provide the agencies with the funding necessary to undertake all the activities and responsibilities assigned by Congress, we are marking up a bill that cuts the authorization for NWIRP. I cannot support a bill that cuts the program. My Republican colleagues are moving a bill that would cut the authorization levels by 14.5 percent below the levels they put in place for FY 2008. It is not as if we are facing fewer wind-related disasters. Our Nation is still recovering from a deadly and incredibly destructive tornado season. We are bracing for a hurricane season that NOAA predicts will be active or extremely active. As a Floridian who survived Hurricane Andrew, I am worried about an active hurricane season that could wreak havoc across my home State.

In a time of increased windstorms, I would think we would be marking up a bill that would give the agencies the resources they need to fully implement the program so that they can achieve the goal of improving our understanding of windstorms and lessen the impacts of these events. It is not just that the bill we are marking up this morning cuts the agencies, but it does so without cutting any of the agencies' responsibilities. Between our budgetary situation and the sequestration cuts, it is unrealistic to expect the agencies to implement this program without providing them with the necessary resources. My colleagues have to accept that they cannot have it both ways. We cannot continue to cut and cut an agency's budget and still expect them to fulfill all of the responsibilities we have given them. What this bill and that philosophy does is set up our agencies to fail, and we do not want them to fail. We must provide our agencies with the appropriate level of resources to conduct the activities that we ask them to do.

I wish that the Subcommittee would have held additional hearings with federal witnesses so that the Members could have had the opportunity to ask questions about the elements of the program and how they are being implemented. What are the priority areas and what level of resources the agencies need to fully implement the program? Without having that information, I cannot, in good conscience, support a bill that cuts funding without providing the agencies with the flexibility on implementing the requirements of the Act if they do not have the appropriate resources. I would have preferred to offer an amendment this morning that would provide the agencies in the program with the right authorization level, but without having the opportunity to hear from federal witnesses, I am instead offering an amendment that simply gives them flexibility.

I urge the adoption of this simple amendment, and yield back the balance of my time.

Chairman BUCSHON. Thank you. I thank the gentlelady for her amendment.

This amendment would allow the agencies of NWIRP to determine if they have enough resources to conduct the Congressionally mandated activities of the program. It is the responsibility of Con-

gress to determine the funding adequate with agencies' delegated responsibilities, and while these are tight budget times, it is still up to Congress to set priorities for how the American taxpayer dollars are spent by federal agencies. The NWIRP program was discussed during our hearing with the Director of NIST, and we did discuss funding, and this staff said the authorization amounts were adequate.

The bill before us reauthorizes the agencies' activities that they have been performing for some time, but in a more efficient and transparent manner. H.R. 1786 makes certain that these agencies continue to conduct the important research and development necessary to ensure that our communities are as prepared as possible for wind-related hazards. I oppose the gentlelady's amendment and urge my colleagues to oppose it as well.

Is there further discussion on the amendment? Hearing none, the vote occurs on the Wilson amendment. All those in favor, say aye. Those opposed, say no. In the opinion of the Chair, the nos have it and the amendment is not agreed to.

The next amendment on the roster is an amendment offered by the gentleman from California, Mr. Peters. The clerk shall report the amendment.

The CLERK. Amendment to H.R. 1786 offered by Mr. Peters of California. At the end of the bill, add the following—

Chairman BUCSHON. I ask unanimous consent to dispense with the reading. Without objection, so ordered.

The Chair recognizes Mr. Peters for five minutes to explain his amendment.

Mr. PETERS. Thank you very much, Mr. Chairman.

The amendment I am offering today authorizes the National Earthquake Hazards Reduction Program by adding Title 1 of Ms. Wilson's National Risk Reduction Act of 2013 to the bill under consideration this morning. The amendment also updates the National Institute of Standards and Technology's, or NIST's, statute to ensure that the agency conducts research specifically on fires occurring in the wildland-urban interface.

Although infrequent, earthquakes are unique among natural hazards in that they strike without warning. While areas like my State of California, in addition to Oregon, Washington, and Alaska, are the most well-known areas for earthquakes, earthquakes are not a hazard that is confined to the West Coast. In fact, it is estimated that 75 million Americans in 39 States, and I note in the District of Columbia, where we enjoyed an earthquake recently, are exposed to significant seismic risk, with nearly all States in the U.S. having some level of risk.

Additionally, the severity of the U.S. fire problem has grown, and the amount of damage caused by fires at the wildland-urban interface has risen. In fact, last year we saw more than 9.3 million acres burn across the United States, an area larger than the States of Delaware, Rhode Island, and Connecticut combined. In my State of California, there have been more than 3,000 wildfires this year alone. As my colleagues are aware, fire season has started early this year and unfortunately, the number of destructive fires, the costs to contain them, and the damage caused will grow. Several years ago, the Cedar fire and Witch Creek fire devastated the

northern communities of the City of San Diego and Poway, Scripps Ranch and Rancho Bernardo, as well as Tierrasanta. As a San Diego City Council member at the time, I remember firsthand the destructive impact of these fires on people's lives. Together, these fires destroyed thousands of homes, personal belongings and memories, and recovery costs were in the billions of dollars.

We need to adopt better preparedness measures. We can't prevent natural disasters, but we can do more to lessen the cost to human life and property.

Over the last two years, the Federal Government has spent more than \$136 billion on relief for hurricanes, tornadoes, droughts, wildfires, and other extreme weather events. It is time that the government stops working in a reactive way to natural disasters and instead gets to work efficiently helping States and localities find the best steps to prepare for, plan for, and more quickly recover from these events.

We know that for every dollar we spend now on resiliency we can avoid at least \$4 in future losses. It makes more sense to approach this by thinking how we can make the U.S. better prepared and not just—United States better prepared, and not just certain areas. Natural disasters affect every State and region of the United States, and some places experience more than one type of hazard. So if we are focused on reducing spending, let's do it in a way that saves us more money in the long run, and that is a comprehensive approach.

One of the witnesses at the Subcommittee hearing on risk reduction, Dr. Prevatt, stated in his testimony that it is important to consider the broader area of hazards mitigation. He went on to urge the Science Committee to not only reauthorize Windstorm Risk Reduction Program, but also to include the reauthorization of Earthquake Risk Reduction and other programs as part of a broader hazards bill. My amendment implements the doctor's recommendation by ensuring the legislation is focused on multiple hazards.

As my colleagues may know, the reauthorization of these risk reduction programs is long overdue. The authorization for this important program expired in 2009. These are interagency programs that improve our understanding of earthquake phenomena and the potential impacts of earthquakes on our communities and turns that knowledge into mitigation and outreach activities that will save lives and reduce economic damages.

Mr. Chairman, it is also important to note that when Congress first legislated a Windstorm Risk Reduction Program in 2004, it did so by combining the program with legislation that was amending the Earthquake Hazards Reduction Act of 1977. This demonstrates a long history that Congress has had in moving these important programs together, and in fact, over the last two Congresses, the Committee has moved these programs in a single bill.

The types of hazards and risks that a community is exposed to depends on where the community is located. For my constituents, earthquakes and fires pose a greater threat. Mr. Chairman, my goal is the same as the author of this bill, to decrease the vulnerability of communities in my district. I am hopeful that we can adopt the amendment and broaden the scope of hazards covered in

this bill. It would be unfortunate if the Committee prioritized one type of hazard over another, because at the end of the day, all of these programs will lead to a more resilient America, saving lives, property, and taxpayer money.

I am focused on lowering spending, and we can do it in a pragmatic way that lessens the cost to human life and property. I urge adoption of this common-sense amendment. Thank you for my colleagues' attention, and I yield the balance of my time.

Chairman BUCSHON. I appreciate the gentleman's amendment. This amendment would add two additional hazards to the bill by reauthorizing the National Earthquake Hazards Program and amending the Fire Research Program. We can recognize that the Committee has previously marked up the Windstorm Program as part of a combined multi-hazard bill. However, these are distinct hazards, and windstorms are a Committee priority, given the multitude of wind hazard-related tragedies this year. Wind hazard mitigation research and development has not received the focus and dedicated funding it should, and this bill will work to get the program's activities back on track to achieve meaningful results.

However, I also recognize the importance of earthquake hazards and the need for fire hazard research, and we intend to address these programs in this Congress. Would the gentleman consider withdrawing his amendment and agree to work with other Members on an earthquakes and fire hazards measure separately?

Mr. PETERS. Mr. Chairman, with your commitment that we will do that important work in the future, I would be willing to do so.

Chairman BUCSHON. Thank you, Mr. Peters. I look forward to working with you and other Committee Members on this very important issue.

Are there any further amendments? Hearing none—okay, hearing none and reporting quorum being present, the question is on the bill H.R. 1786 as amended. Those in favor, say aye. Opposed, no. The ayes have it and the bill is agreed to.

Without objection, the Motion to Reconsider is laid upon the table. I move that the bill H.R. 1786, as amended, be favorably reported to the Full Committee on Science, Space, and Technology and the staff be authorized to make any necessary technical and conforming changes. Without objection, so ordered.

If there is no further discussion, that completes our business. This concludes the Subcommittee markup. The Subcommittee on Research and Technology stands adjourned.

[Whereupon, at 9:31 a.m., the Subcommittee was adjourned.]

Appendix I

H.R. 1786, NATIONAL WINDSTORM IMPACT REDUCTION ACT
REAUTHORIZATION OF 2013

MEMORANDUM, SECTION-BY-SECTION ANALYSIS, AMENDMENTS
AMENDMENT ROSTER



I

113TH CONGRESS
1ST SESSION

H. R. 1786

To reauthorize the National Windstorm Impact Reduction Program, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2013

Mr. NEUGEBAUER introduced the following bill, which was referred to the Committee on Science, Space, and Technology, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To reauthorize the National Windstorm Impact Reduction
Program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “National Windstorm
5 Impact Reduction Act Reauthorization of 2013”.

6 SEC. 2. DEFINITIONS.

7 Section 203(1) of the National Windstorm Impact
8 Reduction Act of 2004 (42 U.S.C. 15702(1)) is amended
9 by striking “Director of the Office of Science and Tech-

1 nology Policy” and inserting “Director of the National In-
 2 stitute of Standards and Technology”.

3 **SEC. 3. NATIONAL WINDSTORM IMPACT REDUCTION PRO-**

4 **GRAM.**

5 Section 204 of the National Windstorm Impact Re-
 6 duction Act of 2004 (42 U.S.C. 15703) is amended—

7 (1) by striking subsections (a), (b), and (c) and
 8 inserting the following:

9 “(a) ESTABLISHMENT.—There is established the Na-
 10 tional Windstorm Impact Reduction Program, the purpose
 11 of which is to achieve major measurable reductions in the
 12 losses of life and property from windstorms through a co-
 13 ordinated Federal effort, in cooperation with other levels
 14 of government, academia, and the private sector, aimed
 15 at improving the understanding of windstorms and their
 16 impacts and developing and encouraging the implementa-
 17 tion of cost-effective mitigation measures to reduce those
 18 impacts.

19 “(b) RESPONSIBILITIES OF PROGRAM AGENCIES.—

20 “(1) LEAD AGENCY.—The National Institute of
 21 Standards and Technology shall have the primary
 22 responsibility for planning and coordinating the Pro-
 23 gram. In carrying out this paragraph, the Director
 24 shall—

1 “(A) ensure that the Program includes the
2 necessary components to promote the imple-
3 mentation of windstorm risk reduction meas-
4 ures by Federal, State, and local governments,
5 national standards and model building code or-
6 ganizations, architects and engineers, and oth-
7 ers with a role in planning and constructing
8 buildings and lifelines;

9 “(B) support the development of perform-
10 ance-based engineering tools, and work with ap-
11 propriate groups to promote the commercial ap-
12 plication of such tools, including through wind-
13 related model building codes, voluntary stand-
14 ards, and construction best practices;

15 “(C) request the assistance of Federal
16 agencies other than the Program agencies, as
17 necessary to assist in carrying out this Act;

18 “(D) coordinate all Federal post-windstorm
19 investigations; and

20 “(E) when warranted by research or inves-
21 tigative findings, issue recommendations to as-
22 sist in informing the development of model
23 codes, and provide information to Congress on
24 the use of such recommendations.

1 “(2) NATIONAL INSTITUTE OF STANDARDS AND
2 TECHNOLOGY.—In addition to the lead agency re-
3 sponsibilities described under paragraph (1), the Na-
4 tional Institute of Standards and Technology shall
5 be responsible for carrying out research and develop-
6 ment to improve model building codes, voluntary
7 standards, and best practices for the design, con-
8 struction, and retrofit of buildings, structures, and
9 lifelines.

10 “(3) NATIONAL SCIENCE FOUNDATION.—The
11 National Science Foundation shall support research
12 in engineering and the atmospheric sciences to im-
13 prove the understanding of the behavior of wind-
14 storms and their impact on buildings, structures,
15 and lifelines.

16 “(4) NATIONAL OCEANIC AND ATMOSPHERIC
17 ADMINISTRATION.—The National Oceanic and At-
18 mospheric Administration shall support atmospheric
19 sciences research to improve the understanding of
20 the behavior of windstorms and their impact on
21 buildings, structures, and lifelines.

22 “(5) FEDERAL EMERGENCY MANAGEMENT
23 AGENCY.—The Federal Emergency Management
24 Agency shall support the development of risk assess-
25 ment tools and effective mitigation techniques, wind-

1 storm-related data collection and analysis, public
 2 outreach, information dissemination, and implemen-
 3 tation of mitigation measures consistent with the
 4 Agency's all-hazards approach.”;

5 (2) by redesignating subsection (d) as sub-
 6 section (e);

7 (3) by inserting after subsection (e), as so re-
 8 designated, the following new subsection:

9 “(d) INTERAGENCY COORDINATING COMMITTEE ON
 10 WINDSTORM IMPACT REDUCTION.—

11 “(1) ESTABLISHMENT.—There is established an
 12 Interagency Coordinating Committee on Windstorm
 13 Impact Reduction, chaired by the Director.

14 “(2) MEMBERSHIP.—In addition to the chair,
 15 the Committee shall be composed of—

16 “(A) the heads of—

17 “(i) the Federal Emergency Manage-
 18 ment Agency;

19 “(ii) the National Oceanic and Atmos-
 20 pheric Administration;

21 “(iii) the National Science Founda-
 22 tion;

23 “(iv) the Office of Science and Tech-
 24 nology Policy; and

1 “(v) the Office of Management and
2 Budget; and

3 “(B) the head of any other Federal agency
4 the chair considers appropriate.

5 “(3) MEETINGS.—The Committee shall meet
6 not less than 2 times a year at the call of the Direc-
7 tor of the National Institute of Standards and Tech-
8 nology.

9 “(4) GENERAL PURPOSE AND DUTIES.—The
10 Committee shall oversee the planning and coordina-
11 tion of the Program.

12 “(5) STRATEGIC PLAN.—The Committee shall
13 develop and submit to Congress, not later than one
14 year after the date of enactment of the National
15 Windstorm Impact Reduction Act Reauthorization of
16 2013, a Strategic Plan for the Program that in-
17 cludes—

18 “(A) prioritized goals for the Program that
19 will mitigate against the loss of life and prop-
20 erty from future windstorms;

21 “(B) short-term, mid-term, and long-term
22 research objectives to achieve those goals;

23 “(C) a description of the role of each Pro-
24 gram agency in achieving the prioritized goals;

1 “(D) the methods by which progress to-
2 wards the goals will be assessed; and

3 “(E) an explanation of how the Program
4 will foster the transfer of research results into
5 outcomes, such as improved model building
6 codes.

7 “(6) PROGRESS REPORT.—Not later than 18
8 months after the date of enactment of the National
9 Windstorm Impact Reduction Act Reauthorization of
10 2013, the Committee shall submit to the Congress a
11 report on the progress of the Program that in-
12 cludes—

13 “(A) a description of the activities funded
14 under the Program, a description of how these
15 activities align with the prioritized goals and re-
16 search objectives established in the Strategic
17 Plan, and the budgets, per agency, for these ac-
18 tivities;

19 “(B) the outcomes achieved by the Pro-
20 gram for each of the goals identified in the
21 Strategic Plan;

22 “(C) a description of any recommendations
23 made to change existing building codes that
24 were the result of Program activities; and

1 “(D) a description of the extent to which
 2 the Program has incorporated recommendations
 3 from the Advisory Committee on Windstorm
 4 Impact Reduction.

5 “(7) COORDINATED BUDGET.—The Committee
 6 shall develop a coordinated budget for the Program,
 7 which shall be submitted to the Congress at the time
 8 of the President’s budget submission for each fiscal
 9 year.”; and

10 (4) by striking subsections (e) and (f).

11 **SEC. 4. NATIONAL ADVISORY COMMITTEE ON WINDSTORM**
 12 **IMPACT REDUCTION.**

13 Section 205 of the National Windstorm Impact Re-
 14 duction Act of 2004 (42 U.S.C. 15704) is amended to
 15 read as follows:

16 **“SEC. 205. NATIONAL ADVISORY COMMITTEE ON WIND-**
 17 **STORM IMPACT REDUCTION.**

18 “(a) IN GENERAL.—The Director of the National In-
 19 stitute of Standards and Technology shall establish an Ad-
 20 visory Committee on Windstorm Impact Reduction, which
 21 shall be composed of at least 7 members, none of whom
 22 may be employees of the Federal Government, including
 23 representatives of research and academic institutions, in-
 24 dustry standards development organizations, emergency
 25 management agencies, State and local government, and

1 business communities who are qualified to provide advice
 2 on windstorm impact reduction and represent all related
 3 scientific, architectural, and engineering disciplines. The
 4 recommendations of the Advisory Committee shall be con-
 5 sidered by Federal agencies in implementing the Program.

6 “(b) ASSESSMENTS.—The Advisory Committee on
 7 Windstorm Impact Reduction shall offer assessments on—

8 “(1) trends and developments in the natural
 9 and engineering sciences and practices of windstorm
 10 impact mitigation;

11 “(2) the priorities of the Program’s Strategic
 12 Plan;

13 “(3) the coordination of the Program; and

14 “(4) any revisions to the Program which may
 15 be necessary.

16 “(c) COMPENSATION.—The members of the Advisory
 17 Committee established under this section shall serve with-
 18 out compensation.

19 “(d) REPORTS.—At least every 2 years, the Advisory
 20 Committee shall report to the Director on the assessments
 21 carried out under subsection (b) and its recommendations
 22 for ways to improve the Program.

23 “(e) CHARTER.—Notwithstanding section 14(b)(2) of
 24 the Federal Advisory Committee Act (5 U.S.C. App), the
 25 Advisory Committee shall not be required to file a charter

1 subsequent to its initial charter, filed under section 9(c)
 2 of such Act, before the termination date specified in sub-
 3 section (f) of this section.

4 “(f) TERMINATION.—The Advisory Committee shall
 5 terminate on September 30, 2016.”.

6 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

7 Section 207 of the National Windstorm Impact Re-
 8 duction Act of 2004 (42 U.S.C. 15706) is amended to
 9 read as follows:

10 **“SEC. 207. AUTHORIZATION OF APPROPRIATIONS.**

11 “(a) FEDERAL EMERGENCY MANAGEMENT AGEN-
 12 CY.—There are authorized to be appropriated to the Fed-
 13 eral Emergency Management Agency for carrying out this
 14 title—

15 “(1) \$2,000,000 for fiscal year 2014;

16 “(2) \$2,000,000 for fiscal year 2015; and

17 “(3) \$2,000,000 for fiscal year 2016.

18 “(b) NATIONAL SCIENCE FOUNDATION.—There are
 19 authorized to be appropriated to the National Science
 20 Foundation for carrying out this title—

21 “(1) \$11,400,000 for fiscal year 2014;

22 “(2) \$11,400,000 for fiscal year 2015; and

23 “(3) \$11,400,000 for fiscal year 2016.

24 “(c) NATIONAL INSTITUTE OF STANDARDS AND
 25 TECHNOLOGY.—There are authorized to be appropriated

11

1 to the National Institute of Standards and Technology for
2 carrying out this title—

3 “(1) \$5,500,000 for fiscal year 2014;

4 “(2) \$5,500,000 for fiscal year 2015; and

5 “(3) \$5,500,000 for fiscal year 2016.

6 “(d) NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-
7 ISTRATION.—There are authorized to be appropriated to
8 the National Oceanic and Atmospheric Administration for
9 carrying out this title—

10 “(1) \$2,500,000 for fiscal year 2014;

11 “(2) \$2,500,000 for fiscal year 2015; and

12 “(3) \$2,500,000 for fiscal year 2016.”.

○

MEMORANDUM

LAMAR S. SMITH, Texas
CHAIRMAN

EDDIE BERNICE JOHNSON, Texas
RANKING MEMBER

Congress of the United States
House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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MEMORANDUM

TO: Committee on Science, Space, and Technology Members and Staff
FROM: Science, Space, and Technology Committee Staff
DATE: June 28, 2013
RE: Subcommittee Markup

The Subcommittee on Research and Technology will meet on **Friday, June 28th at 9:00am** in Room 2318 of the Rayburn House Office Building to consider the following:

- **H.R. 1786, *The National Windstorm Impact Reduction Act Authorization of 2013***

Background and Need

Wind hazards—which include tornados, hurricanes, and derechos—are threats to all fifty states and cause injuries, deaths, economic disruptions, and property damage. Millions of Americans live in areas vulnerable to storms with damaging winds. The tornadic events of 2011 and 2013 show the devastating results of windstorms. The National Weather Service reported 553 fatalities attributed to tornadoes alone in 2011, compared to 109 American deaths in the 10 year average. As populations continue to grow in areas prone to hurricanes, tornadoes, and windstorms, vulnerability to severe weather will only increase. In 2005, the National Science and Technology Council (NSTC) stated that America's primary focus on disaster response is "an impractical and inefficient strategy for dealing with these ongoing threats. Instead, communities must break the cycle of destruction and recovery by enhancing their disaster resilience."

Major Provisions

- Four agencies make up the National Windstorm Impact Reduction Program (NWIRP): NIST, the National Science Foundation (NSF), the National Oceanic and Atmospheric Administration (NOAA), and the Federal Emergency Management Agency (FEMA); defines NIST as the lead program agency; and assigns responsibilities to the four program agencies.
 - NIST is being tasked as the new lead agency of the Program. In that role, NIST's activities include planning and coordinating the Program; supporting the development of performance-based engineering tools; requesting the assistance of

Federal agencies, other than Program agencies, as necessary; coordinating all Federal post-windstorm investigations; and issuing recommendations to assist in informing model codes when warranted by research or investigative findings. In addition to the lead agency responsibilities, NIST shall also conduct research and development to improve model building codes, voluntary standards, and best practices for the design, construction, and retrofit of buildings, structures, and lifelines.

- NSF activities include research in engineering and the atmospheric sciences to improve the understanding of the behavior of windstorms and the impact on buildings, structures, and lifelines.
- NOAA activities include the support of atmospheric science research to improve the understanding of the behavior of windstorms and the impact on buildings, structures, and lifelines.
- FEMA activities include the development of risk assessment tools and effective mitigation techniques; data collection and analysis; and public outreach, information dissemination, and implementation of mitigation measures.
- Creation of an Interagency Coordinating Committee on Windstorm Impact Reduction. The Committee is chaired by the Director of NIST and is made up of the heads of FEMA, NOAA, NSF, OSTP, the Office of Management and the Budget (OMB), and the head of any other Federal agency the Chair considers appropriate. The Committee is to meet not less than 2 times a year and is tasked with developing and submitting to Congress a strategic plan, progress report, and coordinated budget for the Program.
- Updating the National Advisory Committee on Windstorm Impact Reduction made up of at least 7 relevant non-Federal employee experts to offer recommendations and assessments on program developments, priorities, coordination, and revisions as necessary. This section requires the Advisory Committee to report to the Director of NIST on the assessment and its recommendations at least every two years. Additionally, the Advisory Committee is terminated on September 30, 2016.
- Sets authorization levels, see breakdown below.

Legislative History

The NWIRP was originally established in 2004 by the National Windstorm Impact Reduction Act of 2004 (P.L. 108-360), authored by Rep. Randy Neugebauer. The National Earthquake Hazards Reduction Program Reauthorization Act of 2003 (H.R. 2608) and The National Windstorm Impact Reduction Act of 2004 (H.R.3980) were each introduced in the 108th Congress. After passing the House, the two bills were later combined in the Senate (as H.R. 2608) and became P.L. 108-360. The program authorized the National Institute of Standards and Technology (NIST), the Federal Emergency Management Agency (FEMA), the National Oceanic and Atmospheric Administration (NOAA), and the National Science Foundation (NSF) to support activities that improve the understanding of windstorms and their impacts. The program was authorized for three years—through FY 2008.

In the 111th Congress, The Natural Hazards Risk Reduction Act of 2010 (H.R.3820, Rep. Wu.) would have reauthorized NEHRP and NWIRP. The legislation passed the House, but was not considered by the Senate.

In the 112th Congress, Rep. Neugebauer introduced an NWIRP reauthorization measure (H.R. 3272), which was included in a larger hazards bill (H.R. 3479, The Natural Hazards Risk Reduction Act of 2011) which reauthorized both the earthquake (National Earthquake Hazards Reduction Program, NEHRP) and wind research programs for three years.

In 2013, the Subcommittees on Research and Technology held a joint hearing examining the current role of research and development in mitigating the damaging effects of windstorms across the Nation and the methods of transferring the results of research into practice for stakeholders including building code developers, builders, and property owners. The hearing reviewed the activities of NWIRP. The hearing also reviewed H.R. 1786. The Subcommittees heard testimony from Dr. Ernst Kiesling, Research Faculty, National Wind Institute, Texas Tech University; Ms. Debra Ballen, General Counsel and Senior Vice President, Public Policy, Insurance Institute for Business & Home Safety; and Dr. David Prevatt, Assistant Professor, Department of Civil and Coastal Engineering, University of Florida.

Authorization

H.R. 1786 funds the program at \$21.4 million/annually, broken down as follows:

- For FEMA: \$2,000,000 for each fiscal year 2014 through 2016.
- For NSF: \$11,400,000 for each fiscal year 2014 through 2016.
- For NIST: \$5,500,000 for each fiscal year 2014 through 2016.
- For NOAA: \$2,500,000 for each fiscal year 2014 through 2016.

SECTION-BY-SECTION ANALYSIS OF

H.R. 1786, NATIONAL WINDSTORM IMPACT REDUCTION ACT
REAUTHORIZATION OF 2013**Section 1. Short Title**

This section establishes the short title as the “National Windstorm Impact Reduction Reauthorization Act of 2013.”

Section 2. Definitions

This section amends the National Windstorm Impact Reduction Act of 2004 to define the “Director” of the Program as the Director of the National Institute of Standards and Technology (NIST) rather than the Director of the White House Office of Science and Technology Policy (OSTP).

Section 3. National Windstorm Impact Reduction Program

This section identifies the four agencies that make up the National Windstorm Impact Reduction Program (NWIRP): NIST, the National Science Foundation (NSF), the National Oceanic and Atmospheric Administration (NOAA), and the Federal Emergency Management Agency (FEMA); defines NIST as the lead program agency; and assigns responsibilities to the four program agencies.

As the new lead agency, NIST’s activities include planning and coordinating the Program; supporting the development of performance-based engineering tools; requesting the assistance of Federal agencies other than Program agencies as necessary; coordinating all Federal post-windstorm investigations; and issuing recommendations to assist in informing model codes when warranted by research or investigative findings. In addition to the lead agency responsibilities, NIST shall also conduct research and development to improve model building codes, voluntary standards, and best practices for the design, construction, and retrofit of buildings, structures, and lifelines.

NSF activities include research in engineering and the atmospheric sciences to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines.

NOAA activities include the support of atmospheric science research to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines.

FEMA activities include the development of risk assessment tools and effective mitigation techniques; data collection and analysis; and public outreach, information dissemination, and implementation of mitigation measures.

Additionally, this section creates an Interagency Coordinating Committee on Windstorm Impact Reduction. The Committee is chaired by the Director of NIST and is made up of the heads of FEMA, NOAA, NSF, OSTP, the Office of Management and the Budget (OMB), and the head of any other Federal agency the Chair considers appropriate. The Committee is to meet not less than two times a year and is tasked with developing and submitting to Congress a strategic plan, progress report, and coordinated budget for the Program.

Section 4. National Advisory Committee on Windstorm Impact Reduction

This section amends the National Windstorm Impact Reduction Act of 2004 to reauthorize and update an existing Advisory Committee for NWIRP of at least 7 relevant non-Federal employee experts to offer recommendations and assessments on program developments, priorities, coordination, and revisions as necessary. This section requires the Advisory Committee to report to the Director of NIST on the assessment and its recommendations at least every two years. The authority for the Advisory Committee terminates on September 30, 2016.

Section 5. Authorization of Appropriations

This section provides authorizations of appropriations as follows:

- For FEMA: \$2,000,000 for each fiscal year 2014 through 2016.
- For NSF: \$11,400,000 for each fiscal year 2014 through 2016.
- For NIST: \$5,500,000 for each fiscal year 2014 through 2016.
- For NOAA: \$2,500,000 for each fiscal year 2014 through 2016.

AMENDMENTS

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AMENDMENT TO H.R. 1786
OFFERED BY Ms. ESTY OF CONNECTICUT

Page 1, line 7, insert “(a) DIRECTOR.—” before
 “Section 203(1)”.

Page 2, after line 2, insert the following new sub-
 section:

1 (b) LIFELINES.—Section 203 of the National Wind-
 2 storm Impact Reduction Act of 2004 (42 U.S.C. 15702)
 3 is further amended—

4 (1) by redesignating paragraphs (2) through
 5 (4) as paragraphs (3) through (5), respectively; and
 6 (2) by inserting after paragraph (1) the fol-
 7 lowing new paragraph:

8 “(2) LIFELINES.—The term ‘lifelines’ means
 9 public works and utilities, including transportation
 10 facilities and infrastructure, oil and gas pipelines,
 11 electrical power and communication facilities and in-
 12 frastructure, and water supply and sewage treat-
 13 ment facilities.”.



AMENDMENT ROSTER

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY
Research and Technology Subcommittee Markup
June 28, 2013

AMENDMENT ROSTER

H.R. 1786, the "National Windstorm Impact Reduction Act Reauthorization of 2013"

No.	Amendment	Summary	
1	Amendment offered by Ms. Esty (016)	Adds the definition of "lifelines" to the bill	Agreed to by Voice Vote
2	Amendment offered by Ms. Wilson (001)	Allows the head of an agency to decline to implement the requirements of the Act if the head of such agency determines that sufficient funds are not available; Requires a report to Congress within 30 days of making such a determination.	Failed by Voice Vote
3	Amendment offered by Mr. Peters (002)	Adds two additional titles to the bill to reauthorize the National Earthquake Hazards Program and to amend the fire research program.	Withdrawn

Appendix II

ADDITIONAL MATERIAL FOR THE RECORD

SUBMITTED STATEMENT OF FULL COMMITTEE RANKING MEMBER EDDIE BERNICE
JOHNSON

Thank you, Mr. Chairman. This morning, we are considering legislation to reauthorize the National Windstorm Impact Reduction Program, or NWIRP. This is an important program that can reduce the vulnerability of our communities to natural disasters.

As we've seen over the last few years, the need is great. 2011 was the deadliest and most destructive tornado season in U.S. history. Hurricane Sandy caused over \$65 billion dollars in damages in 2012. And this year, massive tornadoes in Oklahoma and in my state of Texas have resulted in the deaths of more than 30 people.

We should be building stronger and safer communities before a disaster occurs, not after. However, all of the witnesses testifying before this Subcommittee stated that NWIRP is underfunded and that we are missing opportunities to implement low-cost mitigation measures.

That's why I am concerned about the authorization levels in H.R. 1786. They just don't make sense. The bill cuts the program by 14 percent from the levels included in Mr. Neugebauer's 2004 bill that created the program nearly a decade ago. It also cuts the program below current spending.

I don't understand what my colleagues are trying to accomplish here. They talk about how the program can help protect lives, reduce property losses, and save the taxpayers money, but then they go and cut the program. I don't believe the need for the program has lessened. I actually believe it has grown, and so do the witnesses who have testified before our Committee.

I understand that the budgetary situation has changed, but shouldn't that make it even more important to invest in mitigation activities? According to a study by FEMA, for every dollar we invest in pre-disaster mitigation, we save four dollars in disaster recovery.

The concern is not just that my Republican colleagues are cutting the program, but that they are doing so without cutting any of the responsibilities assigned by Congress. This just sets the NWIRP agencies up to fail.

Mr. Chairman, we haven't had a hearing since 2008 that included any of the federal agencies involved in this program. That was five years ago. We don't know how sequestration has impacted the NWIRP-related activities of these agencies. We don't know what activities the agencies are prioritizing and what areas of the program they are not implementing.

We also do not have a good sense of the amount of money each of the agencies needs to fulfill its role in the program.

I suggest that we take a step back and seek input from the NWIRP agencies before we move forward with this bill. I believe this Committee has an important role to play in minimizing the number of Americans who are harmed or killed by natural disasters or who have to face the challenge of rebuilding their homes, businesses, and communities. I'm sure that the sponsors of this legislation are well intentioned; we need to make sure we get it right—the stakes are too high to do otherwise.

**XXIII. PROCEEDINGS OF THE FULL
COMMITTEE
MARKUP ON H.R. 1786,
NATIONAL WINDSTORM IMPACT REDUCTION
ACT
REAUTHORIZATION OF 2013**

FRIDAY, FEBRUARY 28, 2014

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY
WASHINGTON, D.C.

The Committee met, pursuant to call, at 10:06 a.m., in Room 2318 of the Rayburn House Office Building, Hon. Lamar Smith [Chairman of the Committee] presiding.

Chairman SMITH. The Committee on Science, Space, and Technology will come to order. Without objection, the Chair is authorized to declare recesses of the Committee at any time, and pursuant to Committee Rule 2(f) and House Rule XI 2(h)(4), the Chair announces that he may postpone roll call votes, but I hope that is not necessary.

Today, we consider H.R. 1786, the National Windstorm Impact Reduction Act Reauthorization of 2013. I am going to, without objection, put my opening statement into the record because we are expecting votes at 10:40 today and I would like to complete the markup by that time.

Before recognizing the ranking member for her opening statement, I do want to thank the gentleman from Texas, Mr. Neugebauer, for his long and hard work on this particular piece of legislation, and he has gotten a great assist from the gentlewoman from Florida, Ms. Wilson, as well. So we appreciate their efforts. This is a very good product and a great piece of legislation that is going to help a lot of people.

[The prepared statement of Mr. Smith follows:]

PREPARED STATEMENT OF CHAIRMAN LAMAR SMITH

Today we consider H.R. 1786, the National Windstorm Impact Reduction Act Reauthorization of 2013, introduced by my Texas colleague, Congressman Randy Neugebauer.

I thank Mr. Neugebauer and the gentlewoman from Florida, Ms. Frederica Wilson, for their work to draft a bipartisan amendment that strengthens this bill.

H.R. 1786 reauthorizes the activities of the National Windstorm Impact Reduction Program (NWIRP). This important program supports federal research and develop-

ment efforts to help mitigate the loss of life and property due to wind related hazards.

Millions of Americans live in areas vulnerable to hurricanes, tornadoes and other windstorms.

In Texas, we are all too familiar with the harm that wind can cause. According to the National Oceanic and Atmospheric Administration's storm prediction center, 179 tornadoes and 1,586 windstorms were reported in Texas in the last two years.

Windstorms take American lives, destroy homes and businesses, and cause billions of dollars of damage around the United States. The effects of these disasters can be felt for years.

Since 2004, the National Windstorm Impact Reduction Program has supported activities to improve our understanding of windstorms and their impacts. It also has helped develop and encourage the implementation of cost-effective mitigation measures.

H.R. 1786 improves public transparency for how much money is being spent on windstorm research, establishes the National Institute of Standards and Technology as the lead agency for the program and improves coordination and planning of agency activities in a fiscally responsible manner.

This bill and the Manager's Amendment also address some of the funding uncertainty we have faced as we worked through the legislative process.

The bill requires each NWIRP [N-werp] agency to add details about NWIRP [N-werp] programs and spending to its annual budget requests to Congress. It also requires the Interagency Coordinating Committee to develop a budget.

These changes will provide us with a better representation and understanding of the real work that goes into this program in time for the next reauthorization.

I want to thank Representative Neugebauer for his continued efforts in support of NWIRP [N-werp]. I am happy we are able to come together in a bipartisan manner today to support this important program.

Chairman SMITH. With that, I will recognize the Ranking Member, Ms. Johnson, the gentlewoman from Texas.

Ms. JOHNSON. Thank you very much, Mr. Chairman, and I want you to make a record of this: I am a copycat. I am going to move to put my opening statement in the record so we can get to business.

[The prepared statement of Ms. Johnson follows:]

PREPARED STATEMENT OF RANKING MEMBER EDDIE BERNICE JOHNSON

Thank you, Chairman Smith. This morning we are considering legislation to reauthorize the National Windstorm Impact Reduction Program—or NWIRP.

The last few years have been devastating years for natural disasters across the country. According to the National Weather Service, severe weather has caused an average of 278 fatalities and over 24 billion dollars of property damage per year, over the last 10 years. Hurricane Ike, which made landfall in my state of Texas in 2008, was responsible for over a hundred deaths and tens of billions of dollars in damages. Last year, there were massive tornadoes across the Midwest, including in Moore, Oklahoma, that resulted in loss of life and significant economic losses. And, Hurricane Irene in 2011 and Superstorm Sandy in 2012 caused widespread destruction and death along the Eastern seaboard.

NWIRP is an important program that can reduce the vulnerability of our communities to natural disasters. This program can help us build stronger and safer communities before a disaster occurs rather than after. When we discussed this bill at the Subcommittee, the Members on my side of the aisle raised some concerns about the bill. I shared those concerns. I think it is important that we authorize the NWIRP agencies adequately, allow room for the program to grow, and include social science research in the program.

I am pleased that the process of getting from Subcommittee to Full Committee today was a fair, productive and bipartisan process and I want to thank Chairman Smith and Mr. Neugebauer for working with us to address some of our concerns with the legislation. The manager's amendment addresses many of our concerns. It includes an increase to the FEMA authorization level. FEMA is the NWIRP agency tasked with taking the research conducted at other agencies and developing mitigation techniques and public outreach. It is important to ensure that they have the resources they need to be effective.

The manager's amendment also ensures that social science research plays an important role in windstorm preparation and mitigation. Often in a compromise, like this one, you do not get everything you would like. I would have liked to see increases in the authorization levels across the board. This bill includes a lower total authorization level than what was authorized for this program in Fiscal Year 2008.

When the last few years have been devastating years for windstorms—including Superstorm Sandy and the tornado outbreak last May that struck parts of Texas and Oklahoma—it is difficult to understand why we would cut the total authorization level for this important program. I also would have liked to see room for the program to grow. Unfortunately, this bill includes flat authorization levels. At the legislative hearing we held on this bill back in June, more than one witness expressed concern about NWIRP being underfunded.

However, this Committee has an important role to play in making sure agencies and communities have the resources and tools to minimize the loss of life and property by windstorms or to face the challenge of rebuilding their homes, businesses, and communities after a major windstorm. And reauthorizing NWIRP helps us do that.

I want to thank my fellow Texans—Chairman Smith and Mr. Neugebauer—for working across the aisle on this bill. This process reminds me of how this Committee used to work on a regular basis. It is good to see Members coming together, working out their differences, compromising, and ending up with a bill with bipartisan support. I hope we can continue in this vein as we take up other, significant legislation in the coming months, including reauthorizing the National Earthquake Hazards Reduction Program.

Finally, I want to thank Majority and Minority Committee staff, and personal office staff who have worked on this agreement. Mr. Chairman, I support the manager's amendment and the underlying bill as amended and I urge my colleagues to do the same.

Thank you, and I yield back the balance of my time.

Chairman SMITH. Thank you very much for that. Without objection, the Ranking Member's—oh, you get spontaneous applause out of that one—statement is entered.

Chairman SMITH. Pursuant to notice, I now call up H.R. 1786, the National Windstorm Impact Reduction Act Reauthorization of 2013, which was introduced by Representative Neugebauer and amended by the Subcommittee on Research and Technology, and the clerk will report the bill.

The CLERK. H.R. 1786, as amended by the Subcommittee on Research and Technology on June 28, 2013. Section 1—

Chairman SMITH. Without objection, the bill will be considered as read.

[H.R. 1786 appears in Appendix I]

Chairman SMITH. The gentleman from Texas, Mr. Neugebauer, is recognized for his comments on the bill.

Mr. NEUGEBAUER. Thank you, Mr. Chairman, for holding this markup today on H.R. 1786, the National Windstorm Impact Reduction Act Reauthorization.

You know, one of the things that I learned firsthand in 1970 is the devastation that can be caused by tornadoes. The apartment complex that I lived in in Lubbock, Texas, was destroyed by a fairly massive tornado we had then, and what that experience taught me was the tremendous damage that can be caused by these windstorms and tornadoes, but also the loss of life.

And so one of the things that I am proud that this particular piece of legislation does is that it begins to prioritize, you know, how we begin to research the impacts, some of the things we can do to do mitigation from loss of life and property damage, and making sure that all of the agencies that have some jurisdiction in this work together.

So in the interest of time, Mr. Chairman, I will be brief, and I think we have a Manager's Amendment as well.

Chairman SMITH. Thank you, Mr. Neugebauer.

Are there other Members who wish to comment on the bill at this point?

If not, we will go to the Manager's Amendment. Okay. We are going to the Manager's Amendment and then Members can comment on that if they want to.

The first amendment to consider is a Manager's Amendment that is going to be offered by Mr. Neugebauer and Ms. Wilson, and the clerk will report the Manager's Amendment.

The CLERK. Amendment to H.R. 1786 offered by Mr. Neugebauer of Texas and Ms. Wilson of Florida. Page 1, line 3—

[The amendment of Mr. Neugebauer and Ms. Wilson appears in Appendix I]

Chairman SMITH. Without objection, the amendment will be considered as read, and the gentleman from Texas and the gentlewoman from Florida will be recognized to comment on this bipartisan amendment.

Mr. NEUGEBAUER. Thank you, Mr. Chairman, and I want to particularly thank the Minority and Ms. Wilson for their cooperation on finding some common ground on this bill. This truly makes this a bipartisan bill, and I am pleased to have Ms. Wilson to be a co-sponsor of this amendment.

This amendment makes some corrections including adjustments to the authorization levels of the bill while maintaining the top-line authorization in the original bill.

The other issue is that it brings some much-needed transparency in making sure that the agencies disclose the activities that they are actually requesting funding for. I think that gives us a better accountability and trackability of how these monies are being used, and so I look forward to working with my colleagues as we move this bill to the Floor.

Again, I want to thank Ms. Wilson for the cooperation of her and her staff.

Chairman SMITH. Thank you, Mr. Neugebauer.

The gentlewoman from Florida, Ms. Wilson, is recognized.

Ms. WILSON. Thank you, Mr. Chairman. I want to thank you for holding today's markup to reauthorize the National Windstorm Impact Reduction Program. I am pleased to join my colleague, Mr. Neugebauer, for introducing this Manager's Amendment and I urge my colleagues to support it.

As a Floridian and survivor of Hurricane Andrew, I know firsthand that natural hazards are a leading threat to American lives and the economy. This Committee has an important role to play in helping Americans prepare for and recover from natural hazards. While we cannot stop a hurricane or a tornado from happening, we should do all that we can to make sure our communities have the tools they need to respond to and recover from such events.

NWIRP has the potential to lessen the loss of life and economic damage by carrying out research on windstorms and their impacts and translating that research into development of improved building codes and emergency planning. NWIRP needs investment to reach that potential. We as a Nation must invest in preparedness

and resilience. Studies of FEMA's pre-disaster mitigation program have shown that every dollar we invest, we save \$3 to \$4 in recovery costs.

I am pleased to see an increase in the FEMA authorization level in the Manager's Amendment. FEMA is the NWIRP agency tasked with taking research conducted at other agencies in developing mitigation techniques and public outreach.

I want to thank you, Mr. Chair, Representative Neugebauer and Committee staff for working to include a higher FEMA authorization level in the bill. I want to reiterate that it would have been helpful to have a hearing with witnesses from the NWIRP Federal agencies before moving the bill to a full Committee markup. That hearing would have given Members the opportunity to ask NWIRP agencies about program implementation and activities and what level of resources the agencies need. Nevertheless, I understand the need to reauthorize an important program that can minimize the number of Americans who are harmed or killed by windstorm disasters and reduce costs associated with the disaster recovery. That is why I am supporting this bipartisan Manager's Amendment and the underlying bill. I urge my colleagues to do the same.

Finally, I want to thank Chairman Smith and Mr. Neugebauer for working with me across the aisle on this Manager's Amendment. This was a smooth and productive process, what I hope to see more of on this Committee.

Thank you, Mr. Chairman, Ms. Ranking Member, and I yield back the balance of my time.

Chairman SMITH. Thank you, Ms. Wilson. We too hope for more smooth and productive pieces of legislation to be moved by the Committee.

I do want to say that votes have now been moved up to as soon as 10:20, but are there any other Members who wish to be recognized on this Manager's Amendment?

The gentleman from California, Mr. Peters, is recognized.

Mr. PETERS. Mr. Chairman, I move to strike the last word.

I wanted to just confirm that we have an understanding that we will move forward to schedule a hearing on the National Earthquake Hazards Reduction Program in the Research and Technology Subcommittee after we have completed Committee consideration of the First Act, and that following the hearing we will work toward a bill to reauthorize that program.

Coming from California where earthquakes have and will continue to be a significant threat to human life and infrastructure, I want to ensure that the Federal Government program to help mitigate loss from earthquakes is as strong as it can be and makes the most efficient use of resources. I know that we have Members on both sides of the aisle in our Committee who care about this program as well.

I thank the chairman for a very good bipartisan process on the bill before us today, and I look forward to working with the chairman and my colleague from New York, Mr. Collins, on a similarly productive process to reauthorize—

Chairman SMITH. Will the gentleman yield?

Mr. PETERS. I will yield to the Chair.

Chairman SMITH. Thank you, Mr. Peters.

I want to thank the gentleman from California for his interest in reauthorizing this bill. It is an important program that deserves this Committee's attention, and my intention is to schedule a hearing following the Committee's consideration of the First Act and I look forward to working with the gentleman from California on a bill to reauthorize NEHRP. I appreciate his comments.

Are there any other Members who wish be heard on the Manager's Amendment? The gentleman from Illinois, Mr. Lipinski, is recognized.

Mr. LIPINSKI. Thank you, Mr. Chairman. I move to strike the last word.

Chairman SMITH. The gentleman is recognized for five minutes.

Mr. LIPINSKI. I want to thank you and Mr. Neugebauer for working with us, especially Ms. Wilson, to continue to improve upon this bill to reauthorize NWIRP.

There is still disagreement on the funding levels provided in the underlying text but I join Ranking Member Johnson in supporting the compromise arrived at in the Manager's Amendment. It is a good start, ensuring that FEMA has sufficient resources enabling us to revisit the adequacy of funding levels for this important program a bit sooner.

I especially want to thank Mr. Neugebauer for working with us to ensure that this reauthorization of NWIRP addresses the important role that social science research plays in windstorm preparation and mitigation. Many of the fatalities and much of the damage in these storms could be prevented with more resilient structures, but strengthening our physical infrastructure is not sufficient to save lives. We need to make sure that people in the path of severe weather have accurate and easily understandable information about what is coming and how best to protect themselves and their families and that decision makers have both the information and the tools to make the best possible decisions.

It may sound like a no-brainer that people in the path of a destructive windstorm will take appropriate shelter but decades of social science research tells us otherwise. A recent survey by the National Center for Disaster Preparedness found that most Americans are unprepared for a major disaster in that they have a false sense of security about what will happen if a major disaster occurs. More than half the families surveyed had no emergency plan in place for a hurricane or earthquake, and those who had such a plan lacked essential items to implement their plan.

The Manager's Amendment ensures that people are a central part of our mitigation response and recovery activities by making certain that social science research is a part of the NWIRP program and that the results of such research are incorporated into outreach and implementation efforts. We can and must do more to increase the disaster resiliency of our communities. The social scientists have an essential role in those efforts, and I urge my colleagues to adopt this amendment.

Thank you, Chairman, and I yield back the balance of my time.

Chairman SMITH. Thank you, Mr. Lipinski.

Are there others who wish to be heard? The gentlewoman from Connecticut, Ms. Esty, is recognized.

Ms. ESTY. Thank you, Mr. Chairman. I move to strike the last word.

Mr. Chairman, I would like to thank you and Ranking Member Johnson for the leadership you have shown in moving this legislation forward in a bipartisan manner.

This bill is particularly important because windstorms affect all 50 States. In Connecticut, we are still recovering from the devastating effects of Hurricane Sandy, which shattered communities and killed 285 people in the Northeast. Now more than ever, it is crucial that we do everything in our power to prevent these storms from taking more lives and wreaking more havoc. That is why I appreciate Subcommittee Chair Bucshon agreeing to accept my amendment, which would define the term “lifelines” and have added it to the bill.

As we discussed in Subcommittee, adding this definition will improve the bill and provide the interagency Coordinating Committee on Windstorm Impact Reduction specific direction on the most important research topics. This addition will help improve—will help the involved agencies work effectively and efficiently towards the goal of reducing the impact of windstorms on our infrastructure.

I thank the chairman for including my amendment in the version of the bill under consideration today, and I yield back my time, and it is under one minute.

Chairman SMITH. Thank you, Ms. Esty. I appreciate those comments.

The gentlewoman from Oregon, Ms. Bonamici, is recognized.

Ms. BONAMICI. Thank you. I move to strike the last word.

Chairman SMITH. The gentlewoman is recognized for five minutes.

Ms. BONAMICI. Thank you, Mr. Chairman.

Mr. Chairman, I would like to thank the Committee, the leadership on both sides of the aisle for bringing this piece of legislation forward.

I just want to join in the comments made by Mr. Peters about the importance of also working on the National Earthquake Hazards Reduction Program, and I thank you, Mr. Chairman, for your commitment to do so later this session.

So thank you again for your work, and I look forward to working as well on legislation that will affect the earthquake hazards. Thank you, Mr. Chairman.

Chairman SMITH. Thank you, Ms. Bonamici.

Are there any other Members who wish to be heard on the Manager’s Amendment? If not, the question is on the Manager’s Amendment by Mr. Neugebauer and Ms. Wilson.

All in favor, say aye.

Opposed, nay.

The ayes have it, and the Manager’s Amendment is agreed to.

The gentleman from Florida, Mr. Grayson, is recognized for the purpose of offering an amendment.

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

Chairman SMITH. The clerk will report the amendment.

The CLERK. Amendment H.R. 1786 offered by Mr. Grayson of Florida, amendment number 002. Page—

[The amendment of Mr. Grayson appears in Appendix I]

Chairman SMITH. Without objection, the amendment will be considered as read, and the gentleman from Florida, Mr. Grayson, is recognized to explain his amendment.

Mr. GRAYSON. Mr. Chairman, the purpose of this amendment is to prevent conflicts of interest on the advisory committee by requiring recusal.

I yield the balance of my time.

Chairman SMITH. Thank you, Mr. Grayson. I will be longer than you will in agreeing to your amendment.

The gentleman's amendment will require members of the National Windstorm Advisory Committee to recuse themselves from a committee activity in which they have a financial interest, I support this amendment, but would like to continue to work with the gentleman between now and the House Floor on possible additional improvements.

So I appreciate the gentleman offering the amendment.

Is there further discussion on this amendment? If not, the vote is on the amendment.

All in favor, say aye.

Opposed, nay.

The ayes have it, and the amendment is agreed to.

Are there any other amendments? And if not, a reporting quorum being present, the question is on the bill H.R. 1786, as amended.

Those in favor, say aye.

Opposed, nay.

The ayes have it, and the bill as amended is ordered reported favorably.

Pursuant to Committee Rule 2(f) and House Rule XI 2(h)(4), without objection, the motion to reconsider is laid upon the table. I move that the bill, H.R. 1786, as amended, be favorably reported to the House and the staff be authorized to make any necessary technical and conforming changes. Without objection, so ordered.

There being no further business, we stand adjourned. I want to thank all the Members for this great turnout for this markup, and appreciate your attention before votes.

We stand adjourned.

[Whereupon, at 10:22 a.m., the Committee was adjourned.]

Appendix I

H.R. 1786, NATIONAL WINDSTORM IMPACT REDUCTION ACT REAUTHORIZATION OF 2013

SECTION-BY-SECTION ANALYSIS, AMENDMENTS

AMENDMENT ROSTER

**H.R. 1786, AS AMENDED BY THE SUBCOMMITTEE
ON RESEARCH AND TECHNOLOGY
ON JUNE 28, 2013**

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Windstorm
3 Impact Reduction Act Reauthorization of 2013”.

4 **SEC. 2. DEFINITIONS.**

5 (a) **DIRECTOR.**—Section 203(1) of the National
6 Windstorm Impact Reduction Act of 2004 (42 U.S.C.
7 15702(1)) is amended by striking “Director of the Office
8 of Science and Technology Policy” and inserting “Director
9 of the National Institute of Standards and Technology”.

10 (b) **LIFELINES.**—Section 203 of the National Wind-
11 storm Impact Reduction Act of 2004 (42 U.S.C. 15702)
12 is further amended—

13 (1) by redesignating paragraphs (2) through
14 (4) as paragraphs (3) through (5), respectively; and

15 (2) by inserting after paragraph (1) the fol-
16 lowing new paragraph:

17 “(2) **LIFELINES.**—The term ‘lifelines’ means
18 public works and utilities, including transportation
19 facilities and infrastructure, oil and gas pipelines,
20 electrical power and communication facilities and in-

1 frastructure, and water supply and sewage treat-
 2 ment facilities.”.

3 **SEC. 3. NATIONAL WINDSTORM IMPACT REDUCTION PRO-**
 4 **GRAM.**

5 Section 204 of the National Windstorm Impact Re-
 6 duction Act of 2004 (42 U.S.C. 15703) is amended—

7 (1) by striking subsections (a), (b), and (c) and
 8 inserting the following:

9 “(a) ESTABLISHMENT.—There is established the Na-
 10 tional Windstorm Impact Reduction Program, the purpose
 11 of which is to achieve major measurable reductions in the
 12 losses of life and property from windstorms through a co-
 13 ordinated Federal effort, in cooperation with other levels
 14 of government, academia, and the private sector, aimed
 15 at improving the understanding of windstorms and their
 16 impacts and developing and encouraging the implementa-
 17 tion of cost-effective mitigation measures to reduce those
 18 impacts.

19 “(b) RESPONSIBILITIES OF PROGRAM AGENCIES.—

20 “(1) LEAD AGENCY.—The National Institute of
 21 Standards and Technology shall have the primary
 22 responsibility for planning and coordinating the Pro-
 23 gram. In carrying out this paragraph, the Director
 24 shall—

1 “(A) ensure that the Program includes the
2 necessary components to promote the imple-
3 mentation of windstorm risk reduction meas-
4 ures by Federal, State, and local governments,
5 national standards and model building code or-
6 ganizations, architects and engineers, and oth-
7 ers with a role in planning and constructing
8 buildings and lifelines;

9 “(B) support the development of perform-
10 ance-based engineering tools, and work with ap-
11 propriate groups to promote the commercial ap-
12 plication of such tools, including through wind-
13 related model building codes, voluntary stand-
14 ards, and construction best practices;

15 “(C) request the assistance of Federal
16 agencies other than the Program agencies, as
17 necessary to assist in carrying out this Act;

18 “(D) coordinate all Federal post-windstorm
19 investigations; and

20 “(E) when warranted by research or inves-
21 tigative findings, issue recommendations to as-
22 sist in informing the development of model
23 codes, and provide information to Congress on
24 the use of such recommendations.

1 “(2) NATIONAL INSTITUTE OF STANDARDS AND
2 TECHNOLOGY.—In addition to the lead agency re-
3 sponsibilities described under paragraph (1), the Na-
4 tional Institute of Standards and Technology shall
5 be responsible for carrying out research and develop-
6 ment to improve model building codes, voluntary
7 standards, and best practices for the design, con-
8 struction, and retrofit of buildings, structures, and
9 lifelines.

10 “(3) NATIONAL SCIENCE FOUNDATION.—The
11 National Science Foundation shall support research
12 in engineering and the atmospheric sciences to im-
13 prove the understanding of the behavior of wind-
14 storms and their impact on buildings, structures,
15 and lifelines.

16 “(4) NATIONAL OCEANIC AND ATMOSPHERIC
17 ADMINISTRATION.—The National Oceanic and At-
18 mospheric Administration shall support atmospheric
19 sciences research to improve the understanding of
20 the behavior of windstorms and their impact on
21 buildings, structures, and lifelines.

22 “(5) FEDERAL EMERGENCY MANAGEMENT
23 AGENCY.—The Federal Emergency Management
24 Agency shall support the development of risk assess-
25 ment tools and effective mitigation techniques, wind-

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1 storm-related data collection and analysis, public
2 outreach, information dissemination, and implemen-
3 tation of mitigation measures consistent with the
4 Agency’s all-hazards approach.”;

5 (2) by redesignating subsection (d) as sub-
6 section (c);

7 (3) by inserting after subsection (c), as so re-
8 designated, the following new subsection:

9 “(d) INTERAGENCY COORDINATING COMMITTEE ON
10 WINDSTORM IMPACT REDUCTION.—

11 “(1) ESTABLISHMENT.—There is established an
12 Interagency Coordinating Committee on Windstorm
13 Impact Reduction, chaired by the Director.

14 “(2) MEMBERSHIP.—In addition to the chair,
15 the Committee shall be composed of—

16 “(A) the heads of—

17 “(i) the Federal Emergency Manage-
18 ment Agency;

19 “(ii) the National Oceanic and Atmos-
20 pheric Administration;

21 “(iii) the National Science Founda-
22 tion;

23 “(iv) the Office of Science and Tech-
24 nology Policy; and

1 “(v) the Office of Management and
2 Budget; and

3 “(B) the head of any other Federal agency
4 the chair considers appropriate.

5 “(3) MEETINGS.—The Committee shall meet
6 not less than 2 times a year at the call of the Direc-
7 tor of the National Institute of Standards and Tech-
8 nology.

9 “(4) GENERAL PURPOSE AND DUTIES.—The
10 Committee shall oversee the planning and coordina-
11 tion of the Program.

12 “(5) STRATEGIC PLAN.—The Committee shall
13 develop and submit to Congress, not later than one
14 year after the date of enactment of the National
15 Windstorm Impact Reduction Act Reauthorization of
16 2013, a Strategic Plan for the Program that in-
17 cludes—

18 “(A) prioritized goals for the Program that
19 will mitigate against the loss of life and prop-
20 erty from future windstorms;

21 “(B) short-term, mid-term, and long-term
22 research objectives to achieve those goals;

23 “(C) a description of the role of each Pro-
24 gram agency in achieving the prioritized goals;

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1 “(D) the methods by which progress to-
2 wards the goals will be assessed; and

3 “(E) an explanation of how the Program
4 will foster the transfer of research results into
5 outcomes, such as improved model building
6 codes.

7 “(6) PROGRESS REPORT.—Not later than 18
8 months after the date of enactment of the National
9 Windstorm Impact Reduction Act Reauthorization of
10 2013, the Committee shall submit to the Congress a
11 report on the progress of the Program that in-
12 cludes—

13 “(A) a description of the activities funded
14 under the Program, a description of how these
15 activities align with the prioritized goals and re-
16 search objectives established in the Strategic
17 Plan, and the budgets, per agency, for these ac-
18 tivities;

19 “(B) the outcomes achieved by the Pro-
20 gram for each of the goals identified in the
21 Strategic Plan;

22 “(C) a description of any recommendations
23 made to change existing building codes that
24 were the result of Program activities; and

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1 “(D) a description of the extent to which
 2 the Program has incorporated recommendations
 3 from the Advisory Committee on Windstorm
 4 Impact Reduction.

5 “(7) COORDINATED BUDGET.—The Committee
 6 shall develop a coordinated budget for the Program,
 7 which shall be submitted to the Congress at the time
 8 of the President’s budget submission for each fiscal
 9 year.”; and

10 (4) by striking subsections (e) and (f).

11 **SEC. 4. NATIONAL ADVISORY COMMITTEE ON WINDSTORM**
 12 **IMPACT REDUCTION.**

13 Section 205 of the National Windstorm Impact Re-
 14 duction Act of 2004 (42 U.S.C. 15704) is amended to
 15 read as follows:

16 **“SEC. 205. NATIONAL ADVISORY COMMITTEE ON WIND-**
 17 **STORM IMPACT REDUCTION.**

18 “(a) IN GENERAL.—The Director of the National In-
 19 stitute of Standards and Technology shall establish an Ad-
 20 visory Committee on Windstorm Impact Reduction, which
 21 shall be composed of at least 7 members, none of whom
 22 may be employees of the Federal Government, including
 23 representatives of research and academic institutions, in-
 24 dustry standards development organizations, emergency
 25 management agencies, State and local government, and

1 business communities who are qualified to provide advice
2 on windstorm impact reduction and represent all related
3 scientific, architectural, and engineering disciplines. The
4 recommendations of the Advisory Committee shall be con-
5 sidered by Federal agencies in implementing the Program.

6 “(b) ASSESSMENTS.—The Advisory Committee on
7 Windstorm Impact Reduction shall offer assessments on—

8 “(1) trends and developments in the natural
9 and engineering sciences and practices of windstorm
10 impact mitigation;

11 “(2) the priorities of the Program’s Strategic
12 Plan;

13 “(3) the coordination of the Program; and

14 “(4) any revisions to the Program which may
15 be necessary.

16 “(c) COMPENSATION.—The members of the Advisory
17 Committee established under this section shall serve with-
18 out compensation.

19 “(d) REPORTS.—At least every 2 years, the Advisory
20 Committee shall report to the Director on the assessments
21 carried out under subsection (b) and its recommendations
22 for ways to improve the Program.

23 “(e) CHARTER.—Notwithstanding section 14(b)(2) of
24 the Federal Advisory Committee Act (5 U.S.C. App), the
25 Advisory Committee shall not be required to file a charter

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1 subsequent to its initial charter, filed under section 9(c)
 2 of such Act, before the termination date specified in sub-
 3 section (f) of this section.

4 “(f) TERMINATION.—The Advisory Committee shall
 5 terminate on September 30, 2016.”.

6 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

7 Section 207 of the National Windstorm Impact Re-
 8 duction Act of 2004 (42 U.S.C. 15706) is amended to
 9 read as follows:

10 **“SEC. 207. AUTHORIZATION OF APPROPRIATIONS.**

11 “(a) FEDERAL EMERGENCY MANAGEMENT AGEN-
 12 CY.—There are authorized to be appropriated to the Fed-
 13 eral Emergency Management Agency for carrying out this
 14 title—

15 “(1) \$2,000,000 for fiscal year 2014;

16 “(2) \$2,000,000 for fiscal year 2015; and

17 “(3) \$2,000,000 for fiscal year 2016.

18 “(b) NATIONAL SCIENCE FOUNDATION.—There are
 19 authorized to be appropriated to the National Science
 20 Foundation for carrying out this title—

21 “(1) \$11,400,000 for fiscal year 2014;

22 “(2) \$11,400,000 for fiscal year 2015; and

23 “(3) \$11,400,000 for fiscal year 2016.

24 “(c) NATIONAL INSTITUTE OF STANDARDS AND
 25 TECHNOLOGY.—There are authorized to be appropriated

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1 to the National Institute of Standards and Technology for
2 carrying out this title—

3 “(1) \$5,500,000 for fiscal year 2014;

4 “(2) \$5,500,000 for fiscal year 2015; and

5 “(3) \$5,500,000 for fiscal year 2016.

6 “(d) NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-
7 ISTRATION.—There are authorized to be appropriated to
8 the National Oceanic and Atmospheric Administration for
9 carrying out this title—

10 “(1) \$2,500,000 for fiscal year 2014;

11 “(2) \$2,500,000 for fiscal year 2015; and

12 “(3) \$2,500,000 for fiscal year 2016.”.



SECTION-BY-SECTION ANALYSIS OF

H.R. 1786, NATIONAL WINDSTORM IMPACT REDUCTION ACT
REAUTHORIZATION OF 2013**Section 1. Short Title**

This section establishes the short title as the “National Windstorm Impact Reduction Reauthorization Act of 2013.”

Section 2. Definitions

This section amends the National Windstorm Impact Reduction Act of 2004 to define the “Director” of the Program as the Director of the National Institute of Standards and Technology (NIST) rather than the Director of the White House Office of Science and Technology Policy (OSTP). This section also defines “Lifelines” to mean the public works and utilities, oil and gas pipelines, electrical power and communication facilities and infrastructure, and water supply and sewage treatment facilities.

Section 3. National Windstorm Impact Reduction Program

This section identifies the four agencies that make up the National Windstorm Impact Reduction Program (NWIRP): NIST, the National Science Foundation (NSF), the National Oceanic and Atmospheric Administration (NOAA), and the Federal Emergency Management Agency (FEMA); defines NIST as the lead program agency; and assigns responsibilities to the four program agencies.

As the new lead agency, NIST’s activities include planning and coordinating the Program; supporting the development of performance-based engineering tools; requesting the assistance of Federal agencies other than Program agencies as necessary; coordinating all Federal post-windstorm investigations; and issuing recommendations to assist in informing model codes when warranted by research or investigative findings. In addition to the lead agency responsibilities, NIST shall also conduct research and development to improve model building codes, voluntary standards, and best practices for the design, construction, and retrofit of buildings, structures, and lifelines.

NSF activities include research in engineering and the atmospheric sciences to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines.

NOAA activities include the support of atmospheric science research to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines.

FEMA activities include the development of risk assessment tools and effective mitigation techniques; data collection and analysis; and public outreach, information dissemination, and implementation of mitigation measures.

Additionally, this section creates an Interagency Coordinating Committee on Windstorm Impact Reduction. The Committee is chaired by the Director of NIST and is made up of the heads of FEMA, NOAA, NSF, OSTP, the Office of Management and the Budget (OMB), and the head of any other Federal agency the Chair considers appropriate. The Committee is to meet not less than two times a year and is tasked with developing and submitting to Congress a strategic plan, progress report, and coordinated budget for the Program.

Section 4. National Advisory Committee on Windstorm Impact Reduction

This section amends the National Windstorm Impact Reduction Act of 2004 to reauthorize and update an existing Advisory Committee for NWIRP of at least seven relevant non-Federal employee experts to offer recommendations and assessments on program developments, priorities, coordination, and revisions as necessary. This section requires the Advisory Committee to report to the Director of NIST on the assessment and its recommendations at least every two years. The authority for the Advisory Committee terminates on September 30, 2016.

Section 5. Authorization of Appropriations

This section provides authorizations of appropriations as follows:

- For FEMA: \$2,000,000 for each fiscal year 2014 through 2016.
- For NSF: \$11,400,000 for each fiscal year 2014 through 2016.

- For NIST: \$5,500,000 for each fiscal year 2014 through 2016.
- For NOAA: \$2,500,000 for each fiscal year 2014 through 2016.

AMENDMENT TO H.R. 1786
OFFERED BY MR. NEUGEBAUER OF TEXAS AND
MS. WILSON OF FLORIDA

Page 1, line 3, strike “2013” and insert “2014”.

Page 4, lines 10 through 15, amend paragraph (3)
to read as follows:

1 “(3) NATIONAL SCIENCE FOUNDATION.—The
2 National Science Foundation shall support research
3 in—
4 “(A) engineering and the atmospheric
5 sciences to improve the understanding of the
6 behavior of windstorms and their impact on
7 buildings, structures, and lifelines; and
8 “(B) economic and social factors influ-
9 encing windstorm risk reduction measures.

Page 4, line 22, through page 5, line 4, amend para-
graph (5) to read as follows:

10 “(5) FEDERAL EMERGENCY MANAGEMENT
11 AGENCY.—The Federal Emergency Management
12 Agency shall—
13 “(A) support—

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1 “(i) the development of risk assess-
2 ment tools and effective mitigation tech-
3 niques;
4 “(ii) windstorm-related data collection
5 and analysis;
6 “(iii) public outreach and information
7 dissemination; and
8 “(iv) promotion of the adoption of
9 windstorm preparedness and mitigation
10 measures, including for households, busi-
11 nesses, and communities, consistent with
12 the Agency’s all-hazards approach; and
13 “(B) work closely with national standards
14 and model building code organizations, in con-
15 junction with the National Institute of Stand-
16 ards and Technology, to promote the implemen-
17 tation of research results and promote better
18 building practices within the building design
19 and construction industry, including architects,
20 engineers, contractors, builders, and inspec-
21 tors.”;

Page 5, line 6, strike “subsection (e);” and insert
“subsection (e), and by striking subsections (e) and (f);
and”.

Page 5, line 8, strike “subsection” and insert “subsections”.

Page 5, after line 8, insert the following:

1 “(d) BUDGET ACTIVITIES.—The Director of the Na-
2 tional Institute of Standards and Technology, the Director
3 of the National Science Foundation, the Director of the
4 National Oceanic and Atmospheric Administration, and
5 the Director of the Federal Emergency Management
6 Agency shall each include in their agency’s annual budget
7 request to Congress a description of their agency’s pro-
8 jected activities under the Program for the fiscal year cov-
9 ered by the budget request, along with an assessment of
10 what they plan to spend on those activities for that fiscal
11 year.

Page 5, line 9, redesignate subsection (d) as subsection (e).

Page 6, line 16, strike “2013” and insert “2014”.

Page 7, line 10, strike “2013” and insert “2014”.

Page 8, line 9, strike “; and” and insert a period.

Page 8, line 10, strike paragraph (4).

Page 9, lines 8 through 10, amend paragraph (1) to read as follows:

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1 “(1) trends and developments in the natural,
 2 engineering, and social sciences and practices of
 3 windstorm impact mitigation;

Page 10, lines 15 through 17, strike paragraphs (1)
 through (3) and insert the following:

4 “(1) \$5,332,000 for fiscal year 2014; and

5 “(2) \$5,332,000 for fiscal year 2015.

Page 10, lines 21 through 23, strike paragraphs (1)
 through (3) and insert the following:

6 “(1) \$9,682,000 for fiscal year 2014; and

7 “(2) \$9,682,000 for fiscal year 2015.

Page 11, lines 3 through 5, strike paragraphs (1)
 through (3) and insert the following:

8 “(1) \$4,120,000 for fiscal year 2014; and

9 “(2) \$4,120,000 for fiscal year 2015.

Page 11, lines 10 through 12, strike paragraphs (1)
 through (3) and insert the following:

10 “(1) \$2,266,000 for fiscal year 2014; and

11 “(2) \$2,266,000 for fiscal year 2015.



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AMENDMENT TO H.R. 1786
OFFERED BY MR. GRAYSON OF FLORIDA

Page 10, after line 5, insert the following new subsection:

1 “(g) CONFLICT OF INTEREST.—An Advisory Com-
2 mittee member shall recuse himself from any Advisory
3 Committee activity in which he has an actual pecuniary
4 interest.”.



AMENDMENT ROSTER
COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY
 Full Committee Markup
 February 28, 2014

AMENDMENT ROSTER

H.R. 1786, the "National Windstorm Initiative Reauthorization Program of 2013"

No.	Amendment	Summary	
1	Manager's Amendment to H.R. 1786 Offered by Mr. Neugebauer (TX) and Ms. Wilson (FL) (001)	Makes technical corrections to the existing bill; adds economic and social science research to the type of research that NSF may conduct and the Advisory Committee may assess; adds language requiring NIST, NSF, NOAA and FEMA report on planned NWIRP activities in Congressional budget requests; reallocates funding within program but maintains current overall funding level; authorizes the program through 2015.	Agreed to by Voice Vote
2	Amendment Offered by Mr. Grayson (FL) (231)	Requires an Advisory Committee member to recuse themselves from any Advisory Committee activity in which they have an actual pecuniary interest.	Agreed to by Voice Vote